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THE
JOURNAL OF THE SENATE,
OF THE
STATE OF OHIO,

FOR THE ADJOURNED SESSION OF THE
SIXTY-THIRD GENERAL ASSEMBLY

COMMENCING

TUESDAY, JANUARY 7th, 1879.

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JOURNAL OF THE SENATE.

SENATE CHAMBER, COLUMBUS, OHIO,

TUESDAY, *January 7, 1879*—3 o'clock P.M.

The Senate having adjourned on the 15th day of May, A.D. 1878, in pursuance of S. J. R. No. 57, to meet on the 7th day of January, A.D. 1879, at 3 o'clock P.M., convened at that hour, and was called to order by the President of the Senate, Lieutenant-Governor Jabez W. Fitch.

On demand of Mr. Curtiss, a call of the Senate was had.

Those present were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Carson, Curtiss, Fisher, Forrest, Joy, Kelley, Krimmel, Marsh, McDonald, Owens, Richards, Saltzgaber, Seitz, Sherrick, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—25.

On motion of Mr. Carson, further proceedings under the call were dispensed with.

On motion of Mr. Sherrick, a message was sent to the House of Representatives, informing that body that the Senate was in session and ready for business.

Mr. Owens offered the following joint resolution :

S. J. R. No. 62: *Resolved by the General Assembly of the State of Ohio*, That a committee of two on part of the Senate, and — on part of the House, be appointed, to wait on the Governor and inform him that the General Assembly is now in session, and ready to receive any communication he may have to transmit.

The question being on the adoption of the joint resolution, the yeas and nays were taken, and resulted—yeas 23, nays none, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Carlisle, Curtiss, Fisher, Forrest, Joy, Kelley, Krimmel, Marsh, McDonald, Owens, Richards, Saltzgaber, Seitz, Sherrick, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—23.

Mr. Benson voted in the negative.

So the joint resolution was adopted.

Mr. Beebe offered the following joint resolution :

S. J. R. No. 63: *Resolved by the General Assembly of the State of Ohio*, That the two Houses of the General Assembly meet in joint convention in the Hall of the House of Representatives, on Friday, January 10, at 3:30 o'clock P.M., for the purpose of counting the vote for Secretary of State, in accordance with the third section of Article III. of the Constitution of the State.

The question being on the adoption of the joint resolution, the yeas and nays were taken, and resulted—yeas 25, nays 0, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Carson, Curtiss, Fisher, Forrest, Joy, Kelley, Krimmel, Marsh, McDonald, Owens, Richards, Saltz-

gaber, Seitz, Sherrick, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—25.

So the joint resolution was adopted.

Mr. Carlisle offered the following resolution :

S. R. No. 66: *Resolved*, That the use of the Senate Chamber be tendered to the Ohio State Board of Agriculture, on to-morrow, Wednesday, 8th inst., for the purpose of holding the State Agricultural Convention.

The question being on the adoption of the resolution, the yeas and nays were demanded, taken, and resulted—yeas 21, nays 1, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Carson, Curtiss, Fisher, Forrest, Joy, Kelley, Marsh, McDonald, Richards, Sherrick, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—21.

Mr. Krimmel voted in the negative.

So the resolution, having failed to receive a unanimous vote, under Rule 62 was lost.

On motion of Mr. Richards, the vote whereby S. R. No. 66 was lost was reconsidered.

The question being on the adoption of the resolution, the yeas and nays were demanded, taken, and resulted—yeas 20, nays 4, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Carson, Fisher, Forrest, Joy, Kelley, McDonald, Richards, Saltzgaber, Sherrick, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—20.

Messrs. Krimmel, Marsh, Owens and Seitz voted in the negative.

So the resolution, not having received a unanimous vote, was lost.

Mr. Sherrick moved that Senate Rule No. 62 be suspended, in order that a resolution might be introduced granting the use of the Senate Chamber to the State Board of Agriculture.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 17, nays 8, as follow :

Those who voted in the affirmative were—

Messrs. Beebe, Beer, Benson, Carlisle, Carson, Curtiss, Fisher, Kelley, McDonald, Richards, Sherrick, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—17.

Those who voted in the negative were—

Messrs. Armstrong, Forrest, Joy, Krimmel, Marsh, Owens, Saltzgaber and Seitz—8.

So the motion was agreed to.

Mr. Richards offered the following resolution, which was adopted :

S. R. No. 67: *Resolved*, That the use of the Senate Chamber be tendered to the Ohio State Board of Agriculture, on Wednesday, 8th inst., for the purpose of holding the State Agricultural Convention.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives is now organized pursuant to adjournment May 15, 1878, and ready for the transaction of business.

Attest :

L. A. BRUNNER, *Clerk*.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The House of Representatives has adopted the following joint resolution, in which the concurrence of the Senate is requested :

H. J. R. No. 62—Mr. Norton—Appointing a committee to wait upon the Governor to inform him that the General Assembly is now in session.

Attest: L. A. BRUNNER, *Clerk*.

On motion, said joint resolution was laid on the table.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The House of Representatives has concurred in the adoption of the following joint resolution :

S. J. R. No. 62—Mr. Owens—Providing for a committee to wait upon the Governor—and has appointed Messrs. Norton, Turner and Hitchcock on the part of the House.

Attest: L. A. BRUNNER, *Clerk*.

The President appointed Messrs. Owens and Curtiss as a committee in pursuance of S. J. R. No. 62, on the part of the Senate.

Indefinite leave of absence was asked and obtained for Messrs. Irvine and Dungan.

The following bills were read the second time and referred, as follows :

H. B. No. 559—Mr. Kellogg—To authorize the Commissioners of Lucas county to re-plank a certain road therein named.

Committee on Roads and Highways.

H. B. No. 524—Mr. Foster—To authorize the incorporation of associations for the purpose of the reclamation of both men and women from lives of intemperance and immorality.

Committee on Sanitary Laws and Regulations.

Mr. Owens, on leave, introduced the following bill, which was read the first time :

S. B. No. 193—To amend an act passed May 13, 1878, entitled an act for the reorganization and better management of the Soldiers' and Sailors' Orphans' Home, located at Xenia, and to repeal certain sections therein named, (O. L., Vol. 75, p. 591).

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The House of Representatives has refused to concur in the passage of the following bill :

S. B. No. 29—Mr. Owens—To more effectually prevent fraud in the canvassing of votes and making election returns.

Attest: L. A. BRUNNER, *Clerk*.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The House of Representatives has passed the following bill, in which the concurrence of the Senate is requested :

Substitute for H. B. No. 296—Mr. Elliott—Supplementary to an act entitled an act to create a subdivision in Thompson township, Delaware county, passed January 18, 1877, (O. L., Vol. 74, p. 386).

Attest:

L. A. BRUNNER, *Clerk*.

Said bill was read the first time.

Mr. Owens submitted the following report:

The joint committee, appointed under S. J. R. No. 62, report that they have discharged the duties imposed upon them, and are instructed to say that his Excellency, the Governor, will confer with the General Assembly by message immediately.

JAMES W. OWENS,
H. W. CURTISS,
J. A. NORTON,

JAMES TURNER,
P. HITCHCOCK.

The report was received, and, on motion, the committee discharged.

The Governor's message was received, read, and, on motion of Mr. Owens, it was referred to a select committee of three.

The President appointed as such select committee, Messrs. Owens, Sherrick and Wilson.

Leave of absence was asked and obtained for Mr. Lord, indefinitely.

On motion of Mr. Sherrick, S. B. No. 51 was taken from the table.

The question being on agreeing to the House amendment to said bill, the yeas and nays were taken, and resulted—yeas 25, nays none, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Carson, Curtiss, Fisher, Forrest, Joy, Kelley, Krimmel, Marsh, McDonald, Owens, Richards, Saltzgaber, Seitz, Sherrick, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—25.

So said amendment was agreed to.

Mr. Wilson offered the following resolution:

S. R. No. 68: *Be it resolved by the Senate*, That the use of the Senate Chamber be granted to the "Ohio State Wool-Growers' Association," for the evening of January 7, 1879.

Which was disagreed to.

Mr. Wilson moved that the vote whereby S. R. No. 68 was lost be reconsidered.

Which was agreed to.

The question being on the adoption of said resolution—

Mr. Richards moved that Senate Rule No. 62 be suspended.

On which motion the yeas and nays were taken, and resulted—yeas 14, nays 8, as follow:

Those who voted in the affirmative were—

Messrs. Beebe, Beer, Benson, Carlisle, Carson, Curtiss, Dungan, Fisher, Kelley, Marsh, Richards, Sherrick, Tyler and Wilson—14.

Those who voted in the negative were—

Messrs. Armstrong, Forrest, Krimmel, McDonald, Owens, Saltzgaber, Seitz and Wagener—8.

So the motion to suspend, not having received a two-thirds majority, was lost.

On motion of Mr. Benson, the Senate adjourned until Thursday morning at 10 o'clock.

Attest:

ALLEN O. MYERS, *Clerk*.

THURSDAY, *January* 9, 1879—10 o'clock A.M.

The Senate met pursuant to adjournment.
The Journal was read and approved.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The following bills have been introduced in the House of Representatives, and read the first time :

H. B. No. 563—Mr. Reed of Ross—To amend sections three, four, five and six of an act entitled an act for the reorganization and better management of the Soldiers' and Sailors' Orphans' Home, located at Xenia, Ohio, passed May 13, 1878, (Vol. 75, p. 591).

H. B. No. 564—Mr. Norton—To provide for the location, establishment, and construction of a new ditch, in part, and for the alteration, changing, straightening, cleaning out, widening, deepening, extending, and otherwise improving certain ditches, drains and water-courses in the counties of Seneca and Sandusky, in the State of Ohio.

H. B. No. 565—Mr. Wright—Regulating the dissection of dead bodies.

H. B. No. 566—Mr. Wright—Relating to the election of Electors of President and Vice-President of the United States and members of Congress.

H. B. No. 567—Mr. Wright—To punish improper familiarity with female pupils.

H. B. No. 568—Mr. Wales—To authorize the Trustees of Wayne township, Warren county, Ohio, to lease a portion of the township-house in Waynesville.

H. B. No. 569—Mr. Townsend—To authorize husband and wife to testify, the one for or against the other, in criminal cases, under certain circumstances.

Attest :

L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The House of Representatives has concurred in the adoption of the following joint resolution :

S. J. R. No. 63—Mr. Beebe—Providing for a joint convention of the Senate and House of Representatives, to canvass the vote for Secretary of State.

Attest :

L. A. BRUNNER, *Clerk.*

Mr. Wilson presented the petition of John E. Roberts and 123 other voters of St. Paris, Champaign county, for the passage of Senate Bill "To allow the qualified electors of incorporated villages to vote for or against requiring the Trustees or Council to regulate ale, beer, and porter-houses," etc.

Which was referred to the committee on Sanitary Laws and Regulations.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The following bills have been introduced in the House of Representatives, and read the first time:

H. B. No. 570—Mr. Achauer—To amend section sixteen, of chapter nine of an act entitled an act to amend, revise and consolidate the statutes relating to crimes and offenses, and to repeal certain acts therein named, passed May 5, 1877, (O. L., Vol. 74, p. 382).

H. B. No. 571—Mr. Levering---To amend section two of an act entitled an act to provide for the revision and consolidation of the statutes of Ohio.

H. B. No. 572—Mr. Bloom—For the better regulation and management of the Soldiers' and Sailors' Orphans' Home, at Xenia, and the amendment and repeal of certain sections therein named, and also supplementary to an act entitled an act for the reorganization and better management of the Soldiers' and Sailors' Orphans' Home, located at Xenia, and to repeal certain acts therein named, passed May 13, 1878.

H. B. No. 573—Mr. Parker—Amendatory of section sixteen, of chapter nine of the criminal code, (O. L., Vol. 74).

H. B. No. 574—Mr. Poe—To amend an act entitled an act to facilitate the administration of justice in Cuyahoga county, passed March 25, 1875, (O. L., Vol. 72, p. 105.)

H. B. No. 575—Mr. Poe—Supplementary to an act entitled an act supplementary to an act entitled an act supplementary to an act to provide for the organization and government of municipal corporations, passed April 27, 1872, passed April 6, 1876.

H. B. No. 576—Mr. Ellis—To amend section twenty-six, of chapter eight of an act entitled an act to amend, revise and consolidate the statutes relating to crimes and offenses, and to repeal certain acts therein named, to be known as title one, crimes and offenses, part four of the act to revise and consolidate the general statutes of Ohio, (O. L., Vol. 74, p. 271).

H. B. No. 577—Mr. Bloom—Providing for the judicial ascertainment of claims against the State of Ohio.

H. B. No. 578—Mr. Bloom—To amend section twenty-two, of chapter three, title two of the act entitled an act to amend, revise and consolidate the statutes relating to criminal proceedings, passed May 5, 1877, (O. L., Vol. 74, p. 222).

H. B. No. 579—Mr. Seifert—To amend the act, passed May 11, 1878, entitled an act to amend, revise and consolidate the statutes of Ohio, (Vol. 75, p. 436).

Attest:

L. A. BRUNNER, *Clerk.*

The following bill was read the second time, and referred:

S. B. No. 193 Mr. Owens—To amend an act passed May 13, 1878, entitled an act for the reorganization and better management of the Soldiers' and Sailors' Orphans' Home, located at Xenia, and to repeal certain sections therein named, (O. L., Vol. 75, p. 591).

Committee on Soldiers' and Sailors' Orphans' Home.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The following bills have been introduced in the House of Representatives, and read the first time:

H. B. No. 580—Mr. Worley—To create the office of county school superintendent, to prescribe his duties, and to amend certain sections of the school law therein named.

H. B. No. 581—Mr. Norton—To amend section fifteen, of chapter thirteen, of division eight of the act entitled an act to amend, revise and consolidate the statutes relating to municipal corporations, to be known as title twelve, part one of the act to consolidate and revise the general statutes of Ohio, passed May 14, 1878.

H. B. No. 582—Mr. Covert—For the protection of life and property in the use of steam-boilers.

H. B. No. 583—Mr. Johnson—To amend section seven, of chapter one of an act entitled an act to revise and consolidate the laws relating to procedure before justices of the peace and mayors, passed May 11, 1878, and took effect September 1, 1878, (O. L., 75, p. 971).

Attest:

L. A. BRUNNER, *Clerk*.

Mr. Williams, on leave, introduced the following bill, which was read the first time:

S. B. No. 194—To amend section two, of chapter five, of title thirteen of "an act to amend and revise the statutes relating to taxation, to be known as title thirteen, part one of the act to revise and consolidate the general statutes," passed May 11, 1878, (O. L., Vol. 75, p. 472).

Mr. Sherrick moved that the vote whereby the Senate agreed to the House amendment to S. B. No. 51, be reconsidered.

On which motion the yeas and nays were taken, and resulted—yeas 26, nays none, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Benson, Curtiss, Fisher, Grove, Howland, Jackson of Clinton, Jackson of Perry, Johnston, Joy, Kelley, Krimmel, Lord, Marsh, McDonald, Owens, Richards, Saltzgaber, Seitz, Sherrick, Stokes, Tyler, Wagener, Williams and Wilson—26.

So the motion was agreed to.

The question recurring on agreeing to the House amendment to said S. B. No. 51, the yeas and nays were taken, and resulted—yeas none, nays 23, as follow:

Those who voted in the negative were—

Messrs. Armstrong, Beebe, Benson, Curtiss, Fisher, Grove, Howland, Jackson of Clinton, Joy, Kelley, Krimmel, Lord, Marsh, McDonald, Owens, Richards, Saltzgaber, Seitz, Sherrick, Stokes, Tyler, Wagener and Wilson—23.

So said amendment was disagreed to.

On motion of Mr. Curtiss, said S. B. No. 51 was laid upon the table.

Mr. Seitz presented the petition of Jacob Hosler and 44 other citizens of Bloomville, Seneca county, in favor of the passage of a law giving to incorporated villages authority to suppress ale, beer, and porter-houses, and places of notorious and habitual resort for tippling and intemperance.

Which was referred to the committee on Sanitary Laws and Regulations.

Mr. Krimmel, on leave, introduced the following bill, which was read the first time :

S. B. No. 195—To amend section six of an act entitled an act to amend sections one, three, four, five, ten, eleven, fourteen, sixteen, seventeen, eighteen, nineteen, twenty-two, twenty-three, twenty-five, twenty-seven, thirty-three, thirty-five, thirty-six, and thirty-eight of chapter two of the act entitled an act to consolidate, revise and amend the statutes relating to jails and the penitentiary, to be known as part two, title three, jails and penitentiary, passed May 5, 1877, (O. L., Vol. 74), to add supplementary sections thirty-nine and forty to said chapter two, and to repeal said original sections one, three, four, five, ten, eleven, fourteen, sixteen, seventeen, eighteen, nineteen, twenty-two, twenty-three, twenty-five, twenty-seven, thirty-three, thirty-five, thirty-six, and thirty-eight.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The following bills have been introduced in the House of Representatives, and read the first time :

H. B. No. 584—Mr. Turner—To establish a Board of Fire Commissioners in cities of the second grade of the second class, who shall have the management and control of the Fire Department.

H. B. No. 585—Mr. Leggett—To amend section eight of an act entitled an act for the protection of wool-growers and the confiscation of dogs, passed May 5, 1877, (O. L., 74, p. 177.)

H. B. No. 586—Mr. Hume—To authorize the Commissioners of Shelby county to build one or more bridges within the limits of the villages of Newport and Berlin, in said county.

H. B. No. 587—Mr. Bloom—To amend section eight, of chapter three, of title two of the act entitled an act to amend, revise and consolidate the statutes relating to criminal procedure, passed May 5, 1877.

H. B. No. 588—Mr. Wright—To amend the act passed May 14, 1878, entitled an act to amend, revise and consolidate the statutes relating to municipal corporations, to be known as title twelve, part one of the act to revise and consolidate the general statutes of Ohio, (O. L., 75, pp. 161-304).

Attest :

L. A. BRUNNER, *Clerk.*

Mr. Benson, on leave, introduced the following bill, which was read the first time :

S. B. No. 196—To amend an act to abolish public executions.

On motion of Mr. Krimmel, the Senate took a recess.

THREE O'CLOCK P.M.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The following bills have been introduced in the House of Representatives, and read the first time :

H. B. No. 589—Mr. Palmer—To provide for the support of the wives and children of persons confined in the Penitentiary of Ohio.

H. B. No. 590—Mr. Dodds—To amend section nine of the act entitled an act regarding the maintenance and repair of streets, alleys, etc., in

cities of the first class having a population of more than one hundred and fifty thousand inhabitants at the last federal census, passed April 11, 1876.

H. B. No. 591—Mr. Herrick—To authorize the village Council of the incorporated village of Elyria, Lorain county, Ohio, and the township Trustees of Elyria township, Lorain county, to make a loan to complete repairs to the town-hall.

H. B. No. 592—Mr. Meuser—To amend an act entitled an act for the incorporation of townships, passed March 14, 1853.

H. B. No. 593—Mr. Brown of Putnam—Revising the statutes relating to drainage.

Attest :

L. A. BRUNNER, *Clerk.*

On motion of Mr. Benson, the Senate adjourned.

Attest :

ALLEN O. MYERS, *Clerk.*

FRIDAY, *January* 10, 1879—10 O'CLOCK A.M.

The Senate met pursuant to adjournment.

The Journal was read and approved.

Bills were read the second time and referred, as follows :

S.B. No. 194—Mr. Williams—To amend section two, of chapter five, of title thirteen of an act to amend and revise the statutes of taxation, to be known as title thirteen, part one of the act to revise and consolidate the general statutes, passed May 11, 1878, (O. L., Vol. 75, p. 472).

Committee on Finance.

S. B. No. 195—Mr. Krimmel—To amend sections one, three, four, five, ten, eleven, fourteen, sixteen, seventeen, eighteen, nineteen, twenty-two, twenty-three, twenty-five, twenty-seven, thirty-three, thirty-five, thirty-six and thirty-eight of chapter two of the act entitled an act to consolidate, revise and amend the statutes relating to jails and the penitentiary, to be known as part two, title three, jails and penitentiary, passed May 5, 1877, (O. L., Vol. 74), to add supplementary sections thirty-nine and forty to said chapter two, and to repeal said original sections one, three, four, five, ten, eleven, fourteen, sixteen, seventeen, eighteen, nineteen, twenty-two, twenty-three, twenty-five, twenty-seven, thirty-three, thirty-five, thirty-six and thirty-eight.

Committee on Penitentiary.

S. B. No. 196—Mr. Benson—To amend an act to abolish public execution, passed March 12, 1844, (Swan & Sayler, 1191).

Committee on the Judiciary.

Mr. Benson presented the petition of A. K. Earl and 57 other citizens of Cardington, Morrow county, asking for the adoption of the local option law.

Which was referred to the committee on Sanitary Laws and Regulations.

Mr. Owens, on leave, introduced the following bill, which was read the first time :

S. B. No. 197—To repeal an act entitled "an act to regulate the letting of contracts for the doing of public work, and the better protection of mechanics," passed May 5, 1877.

Mr. Lord, on leave, introduced the following bill, which was read the first time:

S. B. No. 198—To encourage and regulate the study of Anatomy.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bill, in which the concurrence of the Senate is requested:

H. B. No. 341—Mr. Oglevee—To amend section seven of an act to incorporate savings societies, passed and took effect April 16, 1867, (O. L., Vol. 64, p. 184).

Attest:

L. A. BRUNNER, *Clerk*.

Said bill was read the first time.

Mr. Richards offered the following resolution:

S. R. No. 69: *Resolved*, That the Sergeant-at-Arms be allowed one hundred dollars as compensation for twenty days' service in preparing the Senate Chamber for occupancy, and that the President draw his warrant on the treasury for that amount.

Mr. Curtiss moved that the resolution be referred to the committee on Claims.

Which was agreed to.

Mr. Owens offered the following resolution, which was adopted:

S. R. No. 70: *Resolved*, That when the Senate adjourns on Friday, the 31st day of January, and every third Friday thereafter, that it shall be to meet at 3 o'clock P.M. on the following Tuesday.

On motion of Mr. Tyler, the Senate took a recess.

THREE O'CLOCK P.M.

Mr. Sabine moved that S. B. No. 139 be made the special order for February 12, 1879.

Which was agreed to.

Mr. Forrest moved that H. B. No. 6, and pending amendments, be taken from the table.

Which was agreed to.

Mr. Forrest moved that said H. B. be referred to the committee on Fees and Salaries.

Which was agreed to.

Mr. Johnston, on leave, introduced the following bill, which was read the first time:

S. B. No. 199—To amend an act entitled an act to fix the salaries of certain State officers, and to repeal certain acts therein named.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has adopted the following joint resolution, in which the concurrence of the Senate is requested:

H. J. R. No. 67—Mr. Sawyer—As to the printing of seven thousand

copies of the second annual report of the Commissioner of the Bureau of Labor Statistics.

Attest :

L. A. BRUNNER, *Clerk*.

The question being on the adoption of said joint resolution, the yeas and nays were taken, and resulted—yeas 25, nays 2, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Curtiss, Fisher. Howland, Jackson of Clinton, Jackson of Perry, Johnston, Joy, Kelley, Krimmel, McDonald, Owens, Parker, Richards, Sabine, Seitz, Steedman, Tyler, Wagener, Williams, and Wilson—25.

Messrs. Forrest and Saltzgaber voted in the negative.

So the resolution was adopted.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The following bills have been introduced in the House of Representatives, and read the first time :

H. B. No. 594—Mr. Scott—To amend section seven, of chapter three of an act to amend and revise the statutes relating to taxation, to be known as title thirteen, part one of the act to revise and consolidate the general statutes, passed May 11, 1878, (O. L., Vol. 75, p. 436).

H. B. No. 595—Mr. Alexander—Making partial appropriations for the fiscal year ending November 15, 1879.

H. B. No. 596—Mr. Clough—To provide for a supply of water for fire and other purposes, in certain cities of the second class.

H. B. No. 597—Mr. Bohl—To enable Soldiers' Monument Associations to record the names of the fallen soldiers.

H. B. No. 598—Mr. Parker—To authorize the Auditor of Brown county, Ohio, to issue refunding orders on the Treasurer of said county in favor of certain tax-payers.

H. B. No. 599—Mr. Parker—To amend section twelve, of chapter three, division three, of title one of an act entitled an act to revise and consolidate the laws relating to civil procedure in Courts of Common Pleas, Superior Courts, in District Courts on appeal, and also the laws relating to procedure in error, mandamus and quo warrant, (O. L., Vol. 75, p. 655).

H. B. No. 600—Mr. Jessup—To amend section two of an act entitled an act to amend, revise and consolidate the statutes relating to crimes and offenses, and to repeal certain acts therein, to be known as title one, crimes and offenses, part four of the act to revise and consolidate the general statutes of Ohio, passed May 5, 1877, (Vol. 75, p. 240), passed May 10, 1878.

H. B. No. 601—Mr. Bohl—To amend section forty-six of an act entitled an act for the reorganization and maintenance of common schools, passed May 1, 1873, (O. L. Vol., 70, p. 207).

H. B. No. 602—Mr. Hume—Relating to public ways.

Attest :

L. A. BRUNNER, *Clerk*.

Mr. Krimmel moved that a message be sent to the House, informing that body that the Senate is now ready to meet them in joint convention, to count the vote cast for Secretary of State, in 1878.

Which was agreed to.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House is now ready to meet the Senate in joint convention, in pursuance of S. J. R. No. 63, by Mr. Beebe, to canvass the vote for State officers at the October election, 1878.

Attest:

L. A. BRUNNER, *Clerk*.

This being the day, and the hour appointed by S. J. R. No. 63, for the counting of the votes cast for Secretary of State and other State officers, at the October election, 1878, the officers and members of the Senate proceeded to the Hall of the House of Representatives, and being seated, a call of the Senate was had, and a quorum of the Senators found present.

A call of the House was ordered by the Speaker, and a quorum of members answered to their names.

The President of the Senate, in presence of the joint convention of the two Houses, then proceeded to open and announce the returns of votes cast at the election held in the State of Ohio, on the second Tuesday of October, A.D. 1878, for Secretary of State and other State officers.

The canvass having been completed, the President of the Senate announced the result as follows:

For the office of Secretary of State, Milton Barnes has 274,120; David R. Paige has 270,966 votes; Jeremiah N. Robinson has 5,682 votes; and Andrew Roy has 38,332 votes.

Milton Barnes having received the highest number of votes for said office of Secretary of State, of the State of Ohio, was declared by the President of the Senate, duly elected to that office for the constitutional term of two years, commencing on the second Monday of January, A.D. 1879.

The canvass having been completed, the President of the Senate declared the joint convention adjourned *sine die*.

The Senators and officers of the Senate then returned to the Senate Chamber.

Mr. Saltzgaber, on leave, introduced the following bill, which was read the first time:

S. B. No. 200—To revise and consolidate the laws relating to property.

Mr. Owens offered the following resolution, which was adopted:

S. R. No. 71: *Resolved*, That the standing committee on Public Buildings be, and they are hereby instructed, at the earliest practicable time, to provide sufficient wardrobes or other suitable receptacles for the proper care and safety of the overcoats and hats of Senators.

On motion of Mr. Johnston, the Senate adjourned.

Attest:

ALLEN O. MYERS, *Clerk*.

SATURDAY, January 11, 1879—10 O'CLOCK A.M.

The Senate met pursuant to adjournment.

Prayer by Rev. Alonzo Smyth.

The Journal was read and approved.

Bills were read the second time and referred, as follows:

S. B. No. 197—Mr. Owens—To repeal an act entitled an act to regulate

the letting of contracts for the doing of public work, and the better protection of mechanics, passed May 5, 1877, (O. L., Vol. 74, p. 186.)

Committee on Municipal Corporations.

S. B. No. 198—Mr. Lord—To encourage and regulate the study of anatomy.

On motion of Mr. Lord, said bill was referred to a select committee of five.

The President appointed Messrs. Lord, Sherrick, Saltzgaber, Curtiss and Johnston, as such committee.

H. B. No. 341—Mr. Oglevee—To amend section seven of an act entitled an act to incorporate savings societies, passed and took effect April 16, 1867, (O. L., Vol. 64, p. 184).

Committee on Currency.

S. B. No. 199—Mr. Johnston—To amend an act entitled an act to fix the salaries of certain State officers, and to repeal a certain act therein named, (Swan & Sayler, page 695).

Committee on Fees and Salaries.

S. B. No. 200—Mr. Saltzgaber—To revise and consolidate the laws relating to property.

Committee on Judiciary.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The following bills have been introduced in the House of Representatives, and read the first time:

H. B. No. 603—Mr. Alexander—To amend section seven of an act entitled an act to define the powers and prescribe the duties of the Board of Commissioners of the sinking fund.

H. B. No. 604—Mr. Stubbs—To amend section five of an act entitled an act for the relief of the poor, passed April 12, 1876, (O. L., Vol. 73, p. 234).

H. B. No. 605—Mr. Stubbs—To amend section twenty-nine of an act for the relief of the poor, passed April 12, 1876, (O. L., Vol. 73, p. 240).

H. B. No. 606—Mr. Sawyer—For the relief of Elizabeth Deckel.

H. B. No. 607—Mr. Sawyer—For the relief of Matilda Koenig.

H. B. No. 608—Mr. Norton—To restrict the limits of the third judicial district; to define the several sub-divisions thereof; to form and establish a new district within its original limits, and to abolish the fourth sub-division thereof.

Attest:

L. A. BRUNNER, *Clerk.*

Mr. Armstrong submitted the following report:

The standing committee on Claims, to whom was referred S. R. No. 69, having had the same under consideration, report it back, with the following amendments, and recommend its adoption when so amended:

In line 2, strike out "one hundred," and insert "fifty"; and in same line, strike out "twenty," and insert "ten."

J. M. ARMSTRONG,	H. SABINE,
J. B. WILLIAMS,	G. A. GROVE,
JOHN C. McDONALD,	D. D. BEEBE.

Said report was agreed to.

The question being on the adoption of said resolution, as amended, the yeas and nays were demanded, taken, and resulted—yeas 26, nays none, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beer, Benson, Carlisle, Carson, Curtiss, Dungan, Fisher, Howland, Jackson of Perry, Johnston, Kelley, Krimmel, Lord, Owens, Parker, Richards, Sabine, Seitz, Sherrick, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—26.

So the resolution was adopted.

Mr. Armstrong, on leave, introduced the following bill, which was read the first time :

S. B. No. 201—Creating the office of Criminal Bailiff, to prescribe his duties in cities of the first class, having a population of one hundred and eighty thousand and upwards.

Mr. Lord, on leave, introduced the following bill, which was read the first time :

S. B. No. 202—To amend section thirteen, chapter four of an act entitled an act to amend, revise and consolidate the statutes relating to crimes and offenses, and to repeal certain acts therein named, to be known as title one, crimes and offenses, part four of the act to revise and consolidate the general statutes of Ohio, passed May 5, 1877.

Mr. Saltzgaber offered the following resolution :

S. R. No. 72: *Be it resolved*, That the Sergeant-at-Arms be, and he is hereby authorized to purchase, for the use of the Senate, a machine for punching the bills and documents of the Senate.

The question being on the adoption of the resolution, the yeas and nays were demanded, taken, and resulted—yeas 19, nays 1, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beer, Benson, Carlisle, Curtiss, Dungan, Fisher, Howland, Johnston, Kelley, Krimmel, Lord, Parker, Saltzgaber, Sherrick, Steedman, Tyler, Wagener and Wilson—19.

Mr. Seitz voted in the negative.

So the resolution was adopted.

Mr. Beer offered the following resolution :

S. R. No. 73: *Resolved*, That the Sergeant-at-Arms be, and is hereby instructed and required to refit the wash-room and vaults connected with the Senate Chamber, and that from and after the adoption of this resolution, no person be allowed access thereto, save and except State officers and officers and members of the General Assembly, with their invited guests ; and the Sergeant-at-Arms shall appoint one of the pages, who, in connection with one of the porters, shall take charge of said rooms, and see that this resolution is enforced.

Mr. Forrest moved to amend by striking out: “with their invited guests.”

The question being on agreeing to the amendment, the yeas and nays were demanded, taken, and resulted—yeas 14, nays 10, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Benson, Dungan, Fisher, Forrest, Owens, Parker, Saltzgaber, Seitz, Steedman, Stokes, Tyler, Wagener and Williams—14.

Those who voted in the negative were—

Messrs. Beer, Carlisle, Curtiss, Howland, Johnston, Kelley, Lord, Sabine, Sherrick and Wilson—10.

So the amendment was agreed to.

The question being on the adoption of the resolution, as amended, the yeas and nays were demanded, taken, and resulted—yeas 25, nays none, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Carson, Curtiss, Dungan, Fisher, Forrest, Howland, Jackson of Perry, Johnston, Kelley, Lord, Parker, Richards, Sabine, Seitz, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—25.

So the resolution was adopted.

Mr. Curtiss moved that the committee on Revision be requested to examine the records of the Clerk, and report to the Senate.

Which was agreed to.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The following bills have been introduced in the House of Representatives, and read the first time :

H. B. No. 609—Mr. Alexander—Making partial appropriations for the fiscal year ending November 15, 1879, for the several public institutions therein named.

H. B. No. 610—Mr. Van Cleaf—Revising the statutes relating to Executive Department.

H. B. No. 611—Mr. Bohl—Authorizing the Commissioners of Washington county to levy a tax to pay for grounds purchased and improvements made for the Washington County Agricultural and Mechanical Association.

H. B. No. 612—Mr. Bohl—To repeal certain acts therein named.

Attest :

L. A. BRUNNER, *Clerk.*

Mr. Krimmel, on leave, introduced the following bill, which was read the first time :

S. B. No. 203—To revise the laws relating to common schools.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The House of Representatives has concurred in the passage of the following bill :

S. B. No. 51—Mr. Sherrick—To authorize the Council of the city of Canton, Ohio, to appoint a board of trustees to take charge of property bequeathed to the poor of said city, and hold the same in trust for them—with the following amendments, in which the concurrence of the Senate is requested :

1st. Insert the word “annually,” after the word “shall,” in line 1, section 6.

2d. Change “April, 1878,” in line 3, section 1, to “February, 1879.”

3d. Substitute the word “February” for the word “April,” in line 7, section 1.

Attest :

L. A. BRUNNER, *Clerk.*

The question being on agreeing to the amendments, the yeas and nays were demanded, taken, and resulted—yeas 23, nays none, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carson, Curtiss, Dungan, Fisher, Forrest, Howland, Jackson of Perry, Johnston, Kelley, Krimmel, Lord, Owens, Richards, Sherrick, Steedman, Stokes, Wagener, Williams and Wilson—23.

So said amendments were agreed to.

On motion of Mr. Krimmel, the Senate adjourned.

Attest:

ALLEN O. MYERS, *Clerk*.

MONDAY, *January* 13, 1879—10 o'clock A.M.

The Senate met pursuant to adjournment.

The Journal was read and approved.

Leave of absence was asked and obtained for Messrs. Kelley, Johnston, Marsh and Beebe, for to-day.

The following bill was read the second time and referred:

S. B. No. 203—Mr. Krimmel—To revise the laws relating to common schools.

Committee on Common Schools.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The following bills have been introduced in the House of Representatives, and read the first time:

H. B. No. 613—Mr. Wolf—To authorize the Council of the incorporated village of Logan, Ohio, to transfer one thousand dollars from the sanitary street fund of said village to the general expense fund.

H. B. No. 614 Mr. Turner—Supplementary to an act to amend, revise and consolidate the statutes relating to municipal corporations, to be known as title twelve, part one of the act to revise and consolidate the general statutes of Ohio, passed May 11, 1878, (O. L., Vol. 75, p. 304).

H. B. No. 615—Mr. Paine—To amend section two of an act entitled an act supplementary to the act passed May 13, 1868, entitled an act to provide for the perpetuation of Boards of Trustees and the appointment of visitors of Universities and Colleges, (O. L., Vol. 65, p. 188), (O. L., Vol. 69, p. 71).

H. B. No. 616—Mr. Williams—To amend section six, of chapter four, division seven of an act entitled an act to amend, revise and consolidate the statutes relating to municipal corporations, to be known as title twelve, part one of the act to revise and consolidate the general statutes of Ohio.

H. B. No. 617—Mr. Payne—To authorize the Council of the village of East Liverpool, Columbiana county, to issue bonds for the construction of water-works.

H. B. No. 618—Mr. Cowgill—To amend sections one and two of an act to provide for the erection of a monument to the memory of General Simon Kenton, passed May 1, 1854, (O. L., Vol. 52, p. 87).

Attest:

L. A. BRUNNER, *Clerk*.

Mr. Richards, on leave, introduced the following bill, which was read the first time :

S. B. No. 204—A bill to discontinue schools in districts when the average daily attendance shall fall below a number therein specified.

Mr. Forrest, on leave, introduced the following bill, which was read the first time.

S. B. No. 205—Revising the statutes relating to the Judicial Department.

Mr. Krimmel submitted the following report :

The joint committee on Enrollment have examined, and found correctly enrolled, the following bill :

S. B. No. 51—An act to authorize the Council of the city of Canton, Ohio, to appoint a board of trustees to take charge of property bequeathed to the poor of said city, and hold the same in trust for them.

C. F. KRIMMEL,	A. D. MARSH,
R. G. RICHARDS,	F. M. CARTER,
J. W. WASHBURN,	C. R. HARMON.
WM. JESSUP,	

Mr. Krimmel offered the following resolution :

S. R. No. 74: *Resolved*, That Sebastian Gramlich be allowed *per diem* for five days' services, and that William H. Loder and B. F. Glaze be allowed *per diem* for four days' services as porters, said services having been rendered by them prior to opening of this session, and that the President of the Senate certify in their favor for the same.

Mr. Seitz moved that said resolution be referred to the committee on Claims.

Which was agreed to.

Mr. Howland, on leave, introduced the following bill, which was read the first time :

S. B. No. 206—To amend section fourteen, of chapter seven of an act entitled an act to amend, revise and consolidate the statutes in relation to criminal procedure, (Laws of 1877, p. 354).

Mr. Wilson, on leave, introduced the following bill, which was read the first time :

S. B. No. 207—To amend the act entitled an act to amend section ten of an act entitled an act for the better security of head contractors, sub-contractors and material men, and to repeal certain acts therein named, (O. L., 75, p. 514).

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The Speaker of the House of Representatives has, in the presence of the House, signed the following bill :

S. B. No. 51—Mr. Sherrick—To authorize the Council of the city of Canton, Ohio, to appoint a board of trustees to take charge of property bequeathed to the poor of said city, and hold the same in trust for them.

Attest :

L. A. BRUNNER, *Clerk*.

The President *pro. tem.*, in presence of the Senate, signed said bill.

Mr. Richards moved that the committee on Public Buildings be instructed to inquire as to the whereabouts of the missing furniture belonging to the Senate Chamber.

Which was agreed to.

Mr. Forrest offered the following joint resolution :

Senate Joint Rule No. 64—Governing bills prepared by the Codifying Commission :

1. Upon the introduction and first reading of any bill embodying printed matter, prepared by the Commission to revise the general statutes, the printing thereof shall be dispensed with.

2. Any amendments adopted by the branch of the Legislature in which such bill is introduced, shall be printed in slips, with wide left margin, corresponding in type with that in which the bill is printed, and such amendments so printed shall be pasted on the left margin opposite the amended sections ; and no other engrossment of the bill shall be required.

3. The foregoing rules shall apply to the branch in which such bill is originally introduced, and when such bill, engrossed as aforesaid, is received in the other branch, it may take the same course, so far as applicable, or the ordinary course of bills, as such branch may order.

4. The rules on this subject, heretofore adopted, are hereby rescinded.

Mr. Richards moved that said resolution be referred to a select committee of five.

Which was agreed to.

The President *pro tem.* appointed Messrs. Richards, Forrest, Parker, Fisher and Howland as such committee.

Mr. Lord presented the petition of H. R. Kelly and other citizens of Hamilton county, for passage of a law providing for the obtaining bodies of deceased persons for anatomical purposes.

Which was referred to the select committee on S. B. No. 198.

On motion of Mr. Lord, the Senate took a recess.

THREE O'CLOCK P.M.

Mr. Richards submitted the following report :

The select committee, to whom was referred S. J. R. No. 64—Relating to bills prepared by the Codifying Commission—report it back, and recommend its adoption.

R. G. RICHARDS, W. T. FORREST,
J. C. FISHER, W. P. HOWLAND.
C. S. PARKER,

The question being on the adoption of the resolution, the yeas and nays were taken, and resulted—yeas 27, nays none, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beer, Benson, Carlisle, Carson, Curtiss, Fisher, Forrest, Grove, Howland, Irvine, Jackson of Clinton, Jackson of Perry, Joy, Lord, Owens, Parker, Richards, Sabine, Seitz, Sherrick, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—27.

So the resolution was adopted.

Mr. Sherrick, on leave, introduced the following bill, which was read the first time :

S. B. No. 208—To amend section twenty-eight of an act entitled an act relating to roads and highways, as amended March 28, 1878, (O. L., Vol. 75, p. 83).

Mr. Lord, on leave, introduced the following bill, which was read the first time :

S. B. No. 209—To amend an act entitled an act to provide for the creation and regulation of incorporated companies in the State of Ohio, (passed May 1, 1852, 50 Vol. Statutes 274), (S. & C., Vol. 1, p. 271).

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The following bills have been introduced in the House of Representatives, and read the first time:

H. B. No. 619—Mr. Quinby—To secure to the citizens of the State of Ohio local option in the sale of, or the prohibition of the sale of, intoxicating liquors, beer, ale, or wine, except for medicinal purposes.

H. B. No. 620—Mr. Klimper—Relating to the Sheriff's advertising in certain counties.

H. B. No. 621—Mr. Edwards—Supplementary to an act entitled an act to punish certain offenses therein named, passed April 27, 1878, (O. L. 75, p. 124), and also supplementary to an act entitled an act supplementary to an act to amend, revise and consolidate the statutes relating to crimes and offenses, and to repeal certain acts therein named, to be known as title one, crimes and offenses, part four of the act to revise and consolidate the general statutes of Ohio, passed May 5, 1877, passed May 10, 1878, (O. L., Vol. 75, p. 141).

H. B. No. 622—Mr. Mackey—To fix the compensation of members of the General Assembly.

H. B. No. 623—Mr. Bohl—Relating to the employment and granting of certificates to teachers in common schools.

Attest:

L. A. BRUNNER, *Clerk*.

Mr. Carson moved to reconsider the vote whereby House Joint Resolution No. 67 was adopted.

Which was agreed to.

Mr. Carson moved that said joint resolution No. 67 be referred to the committee on Printing.

Which was agreed to.

Mr. Curtiss, on leave, introduced the following bill, which was read the first time:

S. B. No. 210—Providing for increasing the levy for poor purposes in certain townships.

Mr. Howland, on leave, introduced the following bill, which was read the first time:

S. B. No. 211—To amend sections four and six, of title four, chapter one of an act entitled an act to revise and consolidate the laws relating to civil procedure in Courts of Common Pleas and Superior Courts, in District Courts on appeal, and also the laws relating to procedure in error, mandamus and quo warranto, (Laws of 1878, p. 804).

MESSAGE FROM THE GOVERNOR.

THE STATE OF OHIO, EXECUTIVE DEPARTMENT,

COLUMBUS, 13th day of January, 1879.

To the Senate:

I have the honor to nominate, and by and with the advice and consent of the Senate, appoint Harry J. Walls to be Commissioner of Statistics of

Labor, for the term of two years, commencing on the first Wednesday in January, 1879.

Very respectfully,

RICHARD M. BISHOP.

Mr. Carlisle moved that the Senate advise and consent to said appointment.

The question being on the confirmation of said appointment, the yeas and nays were taken, and resulted—yeas 28, nays none, as follow :

Those who voted in the affirmative were

Messrs. Armstrong, Beer, Benson, Carlisle, Carson, Curtiss, Fisher, Forrest, Grove, Howland, Irvine, Jackson of Clinton, Jackson of Perry, Joy, Krimmel, Lord, Marsh, Owens, Parker, Sabine, Seitz, Sherrick, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—28.

So the Senate advised and consented to said appointment.

Mr. Jackson of Perry, on leave, introduced the following bill, which was read the first time :

S. B. No. 212—To assist Law Library Associations in cities of the second class.

On motion of Mr. Joy, the Senate adjourned.

Attest :

ALLEN O. MYERS, *Clerk.*

TUESDAY, *January* 14, 1879—10 O'CLOCK A.M.

The Senate met pursuant to adjournment.

The Journal was read and approved.

Mr. Lord moved that the President be requested to invite the clergy of the city to open the daily sessions of the Senate with prayer.

Which was agreed to.

Mr. Beebe presented the petition of R. C. Ellsworth and 53 other citizens of Richfield, Summit county, asking that a law be passed authorizing them to levy a tax to build a vault.

Which was referred to the committee on Finance.

Bills were read the second time and referred, as follows :

S. B. No. 201—Mr. Armstrong—Creating the office of Criminal Bailiff, and to prescribe his duties in counties of the first class, having a population of one hundred and eighty thousand and upwards.

Committee on the Judiciary.

S. B. No. 202—Mr. Lord—To amend section thirteen, chapter four of an act entitled an act to amend, revise and consolidate the statutes relating to crimes and offenses, and to repeal certain acts therein named, to be known as title one, crimes and offenses, part four of the act to revise and consolidate the general statutes of Ohio, passed May 5, 1877.

Committee on the Judiciary.

S. B. No. 205—Mr. Forrest—Revising the statutes relating to the judicial department.

Committee on the Judiciary.

S. B. No. 206—Mr. Howland—To amend section fourteen of chapter seven, of an act entitled an act to amend, revise and consolidate the statutes in relation to criminal procedure, (Laws 1877, p. 354).

Committee on the Judiciary.

S. B. No. 207—Mr. Wilson—To amend an act entitled an act to amend section ten of an act entitled an act for the better security of head contractors and material men, and to repeal certain acts therein named, (O. L., 75, page 514).

Committee on the Judiciary.

S. B. No. 208—Mr. Sherrick—To amend section twenty-eight of an act entitled an act relating to roads and highways, as amended March 28, 1878, (O. L., Vol. 75, p. 83).

Committee on Roads and Highways.

S. B. No. 209—Mr. Lord—To amend an act entitled an act to provide for the creation and regulation of incorporated companies in the State of Ohio, passed May 1, 1852, (50 Vol. Statutes, 274; Swan & Critchfield, Vol. 1, p. 271.)

Committee on Railroads, Telegraphs and Turnpikes.

S. B. No. 210—Mr. Curtiss—Providing for increasing the levy for poor purposes in certain townships.

Committee on Finance.

S. B. No. 211—Mr. Howland—To amend sections four and six of title four, chapter one of an act entitled an act to revise and consolidate the laws relating to civil procedure in Courts of Common Pleas and Superior Courts, in District Courts on appeal, and also the laws relating to procedure in error, mandamus, and quo warranto, (Laws of Ohio 1878, p. 804).

Committee on the Judiciary.

Mr. Benson offered the following resolution :

S. R. No. 75: *Resolved*, That the committee on State Buildings be authorized to repair the sofas in the Senate Chamber.

Mr. Steedman moved that the resolution be referred to the committee on State Buildings.

Which was agreed to.

Mr. Owens, on leave, introduced the following bill, which was read the first time :

S. B. No. 213—To amend section one, of chapter eight of an act entitled an act to revise and consolidate the laws relating to procedure in the Probate Court, passed May 7, 1878, (O. L., Vol. 75, p. 960).

Mr. Tyler, on leave, introduced the following bill, which was read the first time :

S. B. No. 214—To amend section two of an act entitled an act to authorize the commissioners of Brown county to construct a free turnpike road, (O. L., Vol. 75, p. 1122).

Mr. Owens, on leave, introduced the following bill, which was read the first time :

S. B. No. 215—To amend section sixteen, of chapter nine of an act to amend, revise and consolidate the statutes relating to crimes and offenses, and to repeal certain acts therein named, to be known as title one, crimes and offenses, part four of the act to revise and consolidate the general statutes of Ohio, passed May 5, 1877, (O. L., Vol. 74, p. 282).

MESSAGE FROM THE GOVERNOR.

THE STATE OF OHIO, EXECUTIVE DEPARTMENT,

COLUMBUS, 14th day of January, 1879.

To the Senate :

I have the honor to nominate, and by and with the advice and consent of the Senate, appoint Francis Collins, of Franklin county, to be a

Director of the Ohio Penitentiary, to fill the unexpired term of A. D. Heffner, resigned, commencing December 11, 1878.

Very respectfully,

RICHARD M. BISHOP.

Mr. Krimmel moved that the Senate advise and consent to said appointment.

On which motion the yeas and nays were taken, and resulted—yeas 27, nays none, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Carson, Curtiss, Dungan, Fisher, Grove, Howland, Jackson of Clinton, Jackson of Perry, Joy, Krimmel, Lord, Marsh, Owens, Parker, Richards, Sabine, Seitz, Sherrick, Steedman, Stokes, Tyler and Williams—27.

So the Senate advised and consented to said appointment.

Mr. Owens, on leave, introduced the following bill, which was read the first time :

S. B. No. 216—Revising and consolidating the statutes relating to the Benevolent Institutions of the State.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The following bills have been introduced in the House of Representatives, and read the first time :

H. B. No. 624—Mr. Clough—For the better protection of the county treasurers in the State of Ohio.

H. B. No. 625—Mr. Swaim—Supplementary to an act entitled an act defining the powers and duties of the Board of Public Works, passed May 14, 1878.

H. B. No. 626—Mr. Mack—To provide for the punishment of vagrants and tramps, and to send them to their places of legal residence.

H. B. No. 627—Mr. Turner—To amend section twenty-one, sub-division one, of chapter two, division three, title one of an act entitled an act to revise and consolidate the laws relating to civil procedure in Courts of Common Pleas and Superior Courts, in District Courts on appeal, and also the laws relating to procedure in error, mandamus and quo warranto, passed May 11, 1878, (O. L., Vol. 75, p. 641).

H. B. No. 628—Mr. Parker—To prevent the killing or injuring of quail or Virginia partridge and prairie-chickens.

H. B. No. 629—Mr. Wright—To amend section 5, of chapter 5, of division 8 of the act entitled an act to amend, revise and consolidate the statutes relating to municipal corporations, to be known as title 12, part 1 of the act to revise and consolidate the general statutes of Ohio, May 14, 1878.

H. B. No. 630—Mr. White—To provide for the repair of so much of the National Road as extends from the Columbus Hospital for the Insane to the city of Columbus.

H. B. No. 631—Mr. Cowgill—Supplementary to an act entitled an act to authorize the village Council of Mechanicsburg, Champaign county, Ohio, to levy a tax and issue bonds for building a town-hall, engine-room and jail, and to authorize said Council to issue bonds and levy a tax.

H. B. No. 632—Mr. Worley—To authorize the Commissioners of Stark county and the City Council of the city of Canton, Ohio, to compromise with the sureties of George Fessler, late Treasurer of said county, and ex-officio Treasurer of said city.

Attest:

L. A. BRUNNER, *Clerk*.

On motion of Mr. Seitz, the Senate took a recess.

THREE O'CLOCK P.M.

Mr. Richards offered the following joint resolution:

S. J. R. No. 65: *Resolved by the General Assembly of the State of Ohio*, (three-fifths of the members of each House concurring therein), That it be and is hereby proposed to the electors of this State, to vote at the next annual October election, upon the approval or rejection of the following amendment as an additional section to Article II. of the Constitution of the State of Ohio:

SEC. 33. No adjourned session of the General Assembly shall extend beyond the term of thirty-five days.

At said election, the voters desiring to vote in favor of the adoption of this amendment, shall place on their tickets: "Adjourned Sessions, Limited—Yes". The voters who do not favor the adoption of such amendment, shall place upon their ballots the words: "Adjourned Sessions, Limited—No."

On motion of Mr. Richards, said resolution was referred to the committee on the Judiciary.

Mr. Richards moved that the vote whereby S. J. R. No. 65 was referred to the committee on the Judiciary be reconsidered.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 11, nays 19, as follow:

Those who voted in the affirmative were—

Messrs. Beebe, Beer, Curtiss, Fisher, Howland, Jackson of Clinton, Jackson of Perry, Lord, Parker, Richards and Sabine—11.

Those who voted in the negative were—

Messrs. Armstrong, Benson, Carlisle, Carson, Dungan, Forrest, Grove, Irvine, Joy, Krimmel, Marsh, Seitz, Sherrick, Steedman, Stokes, Tyler, Wagener and Williams—19.

So the motion was disagreed to.

Mr. Howland moved that the Clerk be instructed to have S. B. No. 192, introduced at the regular session, printed.

Which was agreed to.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bill, in which the concurrence of the Senate is requested:

H. B. No. 549—Mr. Van Cleaf—For the punishment of persons throwing or shooting at railroad trains.

Attest:

L. A. BRUNNER, *Clerk*.

Said bill was read the first time.

Mr. Parker offered the following resolution:

S. R. No. 76: *Resolved*, That Thomas Pirt and George Riley be allowed

seventy-three dollars each, for cleaning and fitting up Senate Chamber prior to the meeting of the Senate, and the President of the Senate is hereby authorized to draw his warrant for the same.

The question being on the adoption of said resolution, the yeas and nays were taken, and resulted—yeas 26, nays 1, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Carson, Curtiss, Dungan, Fisher, Forrest, Grove, Howland, Irvine, Jackson of Clinton, Joy, Krimmel, Lord, Marsh, Owens, Parker, Richards, Sabine, Sherrick, Steedman, Tyler, Wagener and Williams—26.

Mr. Seitz voted in the negative.

So the resolution was adopted.

Mr. Forrest offered the following resolution, which was adopted :

S. R. No. 77: *Be it resolved*, That a committee of three on the part of the Senate, be appointed by the President, to confer with the committee on Rules on the part of the House of Representatives, with reference to the steps necessary to be taken to perfect a better plan for enacting the consolidated statutes, as reported by the Codifying Commission, into one general act, which committee shall report as early as practicable.

The President appointed as such committee, Messrs, Forrest, Fisher and Beebe.

Mr. Grove, on leave, introduced the following bill, which was read the first time :

S. B. No. 217—Supplementary to an act defining the powers and prescribing the duties of the Board of Public Works, passed May 14, 1878, (O. L., Vol. 75, p. 584).

Mr. Armstrong, on leave, introduced the following bill, which was read the first time :

S. B. No. 218—To amend section one of an act entitled an act to reorganize the institution for the education of the deaf and dumb, passed May 11, 1878, (O. L., Vol. 75, p. 507).

On motion of Mr. Joy, the Senate adjourned.

Attest :

ALLEN O. MYERS, *Clerk*.

WEDNESDAY, *January* 15, 1879—10 o'clock A.M.

The Senate met pursuant to adjournment.

The Journal was read and approved.

Mr. Beer presented the memorial of C. H. Kimball and other citizens of Medina county, asking the repeal of third and fourth sections of the law of last winter, reorganizing the Soldiers' and Sailors' Orphans' Home.

Which was referred to the committee on Soldiers' and Sailors' Orphans' Home.

Leave of absence was asked and obtained for Frank Murray, one of the pages, an account of sickness.

Mr. Armstrong presented the petition of A. C. Sands, Jno. Shillito and 25 other citizens of Hamilton county, for the establishment of a branch asylum for deaf and dumb in cities of the first grade of the first class.

Which was referred to the committee on Benevolent Institutions.

Bills were read the second time and referred, as follows :

S. B. No. 212—Mr. Jackson of Perry—To assist law library associations in cities of the second class.

Committee on the Judiciary.

S. B. No. 213—Mr. Owens—To amend section one, of chapter eight of an act entitled an act to revise and consolidate the laws relating to procedure in the Probate Courts, passed May 7, 1878, (O. L., Vol. 75, p. 960).

Committee on the Judiciary.

S. B. No. 214 Mr. Tyler—To amend section two of an act entitled an act to authorize the Commissioners of Brown county to construct a free turnpike road, (O. L., Vol. 75, p. 1122).

Committee on Railroads, Telegraphs and Turnpikes.

S. B. No. 215—Mr. Owens—To amend section sixteen, of chapter nine of an act to amend, revise and consolidate the statutes relating to crimes and offenses, and to repeal certain acts therein named, to be known as title one, crimes and offenses, part four of an act to revise and consolidate the general statutes of Ohio, passed May 5, 1877, (O. L., Vol. 74, p. 282).

Select committee of five: Messrs. Owens, Dungan, Grove, Howland and Richards.

S. B. No. 216—Mr. Owens—Revising and consolidating the statutes relating to the benevolent institutions of the State.

Committee on Benevolent Institutions.

S. B. No. 217—Mr. Grove—Supplementary to an act defining the powers and prescribing the duties of the Board of Public Works, passed May 14, 1878, (O. L., 75, p. 584).

Committee on Public Works and Public Lands.

H. B. No. 549—Mr. Van Cleaf—For the punishment of persons throwing or shooting at railroad trains.

Committee on Railroads, Telegraphs and Turnpikes.

S. B. No. 218—Mr. Armstrong—To amend section one of an act entitled an act to reorganize the institution for the education of the deaf and dumb, passed May 11, 1878, (O. L., Vol. 75, p. 507).

Committee on Benevolent Institutions.

The following bill was introduced and read the first time:

S. B. No. 219—Mr. Parker—To authorize the County Commissioners of Erie county to build a county jail and issue bonds therefor.

Mr. Fisher submitted the following report:

The standing committee on Public Printing, to whom was referred H. J. R. No. 67, by Mr. Sawyer, having had the same under consideration, report it back, with the following amendments, and recommend its adoption when so amended:

Strike out all after the word "follows", in line five, and insert: "For the General Assembly, 5,000 copies; for the use of the Commissioner, 1,600 copies; and for the State Library, 400 copies.

J. C. FISHER, J. M. ARMSTRONG,
J. M. CARSON, D. D. BEEBE.

Said amendments were agreed to.

The question being on the adoption of the resolution, Mr. Krimmel moved to amend by adding the following:

"And that additional fifteen hundred copies of said statistics be printed in the German language for the use of and to be equally distributed to such members of the General Assembly as may desire them."

Which was agreed to.

The question being on the adoption of the joint resolution, as amended,

the yeas and nays were taken, and resulted—yeas 19, nays 7, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Carlisle, Carson, Curtiss, Dungan, Howland, Irvine, Jackson of Perry, Joy, Krimmel, Richards, Sabine, Steedman, Stokes, Tyler, Wagener and Williams—19.

Those who voted in the negative were—

Messrs. Fisher, Forrest, Marsh, McDonald, Owens, Saltzgaber, and Sherrick—7.

So the resolution was adopted.

Mr. Armstrong submitted the following report :

The standing committee on Claims, to whom was referred S. R. No. 74, having had the same under consideration, report it back, and recommend its adoption.

J. M. ARMSTRONG,	D. D. BEEBE,
G. A. GROVE,	J. B. WILLIAMS,
H. SABINE,	C. S. PARKER.

The question being on the adoption of the resolution, the yeas and nays were taken, and resulted—yeas 20, nays none, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Carlisle, Carson, Curtiss, Fisher, Irvine, Jackson of Perry, Joy, Krimmel, Marsh, McDonald, Richards, Sherrick, Steedman, Stokes, Tyler, Wagener and Williams—20.

So the resolution was adopted.

Mr. Owens offered the following joint resolution :

S. J. R. No. 66: *Be it resolved by the General Assembly of the State of Ohio* (three-fifths of all the members elected to each House concurring therein), That a proposition to amend the Constitution of the State of Ohio, be submitted to the electors of the State, on the second Tuesday of October, A.D. 1879, as follows, to wit :

That Section four (4) Article X. (10) of the Constitution of Ohio, be so amend, as to read as follows :

ARTICLE X.

SEC. 4. Township officers shall be elected on the first Monday of April, by the qualified electors of each township, in such manner and for such terms, not exceeding three years, as may be provided by law.

On motion of Mr. Owens, said joint resolution was referred to the committee on Corporations other than Municipal.

Mr. Saltzgaber presented the petition of D. Casto and eighty other citizens of Wilshire, Van Wert county, for legislation against the evils of intoxicating liquors.

Which was referred to the committee on Sanitary Laws and Regulations.

Mr. Owens presented the petition of citizens of Licking county, Ohio, praying for passage of S. B. No. 213.

Which was referred to the committee on Judiciary.

Mr. Curtiss moved to take from the table S. J. R. No. 19.

Which was agreed to.

On motion of Mr. Curtiss, said resolution was referred to the committee on Privileges and Elections.

Mr. Dungan moved to take from the table S. J. R. No. 55.

Which was agreed to.

On motion of Mr. Dungan, said resolution was referred to the committee on Salaries and Fees of Public Officers.

On motion of Mr. Tyler, the Senate took a recess.

THREE O'CLOCK, P.M.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has adopted the following joint resolution, in which the concurrence of the Senate is requested:

H. J. R. No. 60—Mr. Bloom—As to the correction of the Adjutant-general's records and rolls in regard to the name of Thomas S. Hart.

Attest:

L. A. BRUNNER, *Clerk*.

On motion of Mr. Beer, said joint resolution was referred to the committee on Military Affairs.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has concurred in the passage of the following bill:

S. B. No. 162—Mr. Lord—Supplementary to an act entitled an act to authorize the Commissioners of Hamilton county to levy a tax for further improving the course of Mill Creek, passed May 1, 1873, (O. L., 377).

Attest:

L. A. BRUNNER, *Clerk*.

Mr. Beer offered the following resolution:

S. R. No. 78: *Resolved*, That when the Senate adjourns on Friday, January 17, 1879, it shall be until Tuesday, January 21, 1879.

The question being on the adoption of the resolution, the yeas and nays were demanded, taken, and resulted—yeas 20, nays 6, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Curtiss, Fisher, Howland, Jackson of Clinton, Joy, Krimmel, Lord, Marsh, Owens, Richards, Sabine, Sherrick, Steedman, Stokes, Tyler, Wagener and Williams—20.

Those who voted in the negative were—

Messrs. Carlisle, Dungan, Grove, Parker, Saltzgaber and Seitz—6.

So the resolution was adopted.

Leave of absence was asked and obtained for Mr. Tyler for to-morrow.

Mr. Joy, on leave, introduced the following bill, which was read the first time:

S. B. No. 220 — To authorize the Board of County Commissioners of Hancock county to build a jail.

Mr. Fisher submitted the following report:

The committee on Revision, in obedience to a motion made by Mr. Curtiss, and agreed to by the Senate, has made examination of the Clerk's Record Books of the proceedings of the first session of the Senate of this General Assembly, and is of opinion that these books are a full and correct record of the Senate proceedings.

G. M. SALTZGABER,
J. C. FISHER,
J. M. CARSON.

Said report was adopted.

Mr. Seitz, on leave, introduced the following bill, which was read the first time:

S. B. No. 221—Supplementary to an act entitled an act to preserve the purity of elections.

MESSAGE FROM THE GOVERNOR.

THE STATE OF OHIO, EXECUTIVE DEPARTMENT,

COLUMBUS, 15th day of January, 1879.

To the Senate:

I have the honor to nominate, and by and with the advice and consent of the Senate, appoint William J. Jackson, of Piqua, Miami county, to be Chief Engineer of the Board of Public Works, for the term of two years, commencing May 22, 1878.

Very respectfully,

RICHARD M. BISHOP.

Mr. Steedman moved that the Senate advise and consent to said appointment.

On which motion the yeas and nays were taken, and resulted—yeas 30, nays none, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Carlisle, Carson, Curtiss, Dungan, Fisher, Forrest, Grove, Howland, Irvine, Jackson of Clinton, Joy, Krimmel, Lord, Marsh, McDonald, Owens, Parker, Richards, Sabine, Saltzgaber, Seitz, Sherrick, Steedman, Stokes, Tyler, Wagener and Williams—30.

So the Senate advised and consented to said appointment.

Mr. Carlisle submitted the following report:

The standing committee on Roads and Highways, to whom was referred S. B. No. 208 To amend section twenty-eight of an act entitled an act relating to roads and highways, as amended March 28, 1878, (O. L., Vol. 75, p. 83)—having had the same under consideration, report it back, and recommend its passage.

B. W. CARLISLE, J. C. McDONALD,
J. B. WILLIAMS, C. S. PARKER.
THOS. S. JACKSON,

The report of the committee was agreed to, and the bill ordered to be engrossed and read the third time on Wednesday next.

Mr. Krimmel, on leave, introduced the following bill, which was read the first time:

S. B. No. 222—To amend section one hundred and ninety-eight, of chapter two of an act to revise and consolidate the laws relating to procedure in the Probate Court, and section sixteen, of chapter three, of said act.

Mr. Steedman, on leave, introduced the following bill, which was read the first time:

S. B. No. 223—To amend sections sixty-seven and sixty-nine, of chapter four, division seven, of title twelve of the Revised Statutes.

On motion of Mr. Beer, the Senate adjourned.

Attest:

ALLEN O. MYERS, *Clerk.*

THURSDAY, *January* 16, 1879—10 o'clock, A.M.

The Senate met pursuant to adjournment.
The Journal was read and approved.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The following bills have been introduced in the House of Representatives, and read the first time :

H. B. No. 633—Mr. Hart—To amend the act of May 14, 1878, entitled an act to amend, revise and consolidate the statutes relating to municipal corporations, to be known as title twelve, part one of the act to revise and consolidate the general statutes of Ohio.

H. B. No. 634 Mr. Jessup — To authorize trustees of townships to construct vaults or dead-houses.

Attest :

L. A. BRUNNER, *Clerk*.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The House of Representatives has passed the following bill, in which the concurrence of the Senate is requested :

H. B. No. 53—Mr. Reed of Ross To amend section one of an act, passed March 27, 1875, (O. L., Vol. 72, p. 85), entitled an act to amend section one of an act entitled an act to fix the rates of toll on turnpike and plank-road companies, passed March 16, 1875, (S. & S., p. 147).

Attest :

L. A. BRUNNER, *Clerk*.

Said bill was read the first time.

Bills were read the second time and referred, as follows :

S. B. No. 204—Mr. Richards—To discontinue schools in districts where the average daily attendance shall fall below a number therein specified.
Committee on Common Schools and School Lands.

S. B. No. 219 Mr. Parker To authorize the County Commissioners of Erie county to build a county jail and issue bonds therefor.
Committee on Finance.

S. B. No. 220—Mr. Joy—To authorize the Board of County Commissioners of Hancock county to build a jail.
Committee on Public Expenditures.

S. B. No. 221—Mr. Seitz—Supplementary to an act entitled an act to preserve the purity of elections.
Committee on Privileges and Elections.

S. B. No. 222 Mr. Krimmel—To amend section one hundred and ninety-eight, of chapter two of an act to revise and consolidate the laws relating to procedure in the Probate Courts, and section sixteen, of chapter three of said act.

Committee on the Judiciary.

S. B. No. 223—Mr. Steedman To amend sections sixty-seven and sixty-nine of chapter four, division seven, of title twelve of the revised statutes.
Committee on Municipal Corporations.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The House of Representatives has adopted the following Substitute for S. J. R. No. 64, by Mr. Forrest, in which the concurrence of the Senate is requested :

House Substitute for S. J. R. No. 64—Mr. Forrest—Governing bills prepared by the Codifying Commission.

Attest :

L. A. BRUNNER, *Clerk.*

The question being on agreeing to the House Substitute for S. J. R. No. 64, the yeas and nays were taken, and resulted—yeas none, nays 23, as follow :

Those who voted in the negative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Carson, Curtiss, Dungan, Fisher, Forrest, Grove, Howland, Jackson of Perry, Lord, Marsh, McDonald, Owens, Parker, Richards, Seitz, Steedman, Wagener and Williams—23.

So the Senate refused to concur in said House substitute.

MESSAGE FROM THE GOVERNOR.

THE STATE OF OHIO, EXECUTIVE DEPARTMENT,

COLUMBUS, 15th day of January, 1879.

To the Senate :

I have the honor to nominate, and by and with the advice and consent of the Senate, appoint R. R. Henderson, of Delaware, Delaware county, to be a Trustee of the Girls' Industrial Home, in place of Franklin B. Sprague, resigned.

Very respectfully,

RICHARD M. BISHOP.

Mr. Benson moved that the Senate advise and consent to said appointment.

On which motion the yeas and nays were taken, and resulted—yeas 23, nays none, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Carson, Curtiss, Dungan, Fisher, Grove, Jackson of Perry, Joy, Lord, Marsh, McDonald, Owens, Parker, Saltzgaber, Seitz, Steedman, Stokes, Wagener and Williams—23.

So the Senate advised and consented to said appointment.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The House of Representatives has concurred in Senate amendments to—

H. J. R. No. 67—Mr. Sawyer—As to the printing of seven thousand copies of the second annual report of the Commissioner of the Bureau of Labor Statistics.

Attest :

L. A. BRUNNER, *Clerk.*

Mr. Benson, on leave, introduced the following bill, which was read the first time :

S. B. No. 224 —To amend an act entitled an act to amend, revise and consolidate the statutes relating to municipal corporations, etc., passed May 14, 1878.

Mr. Jackson of Perry introduced the following bill, which was read the first time :

S. B. No. 225—To punish vagrancy, and to repeal a section of a certain act.

Mr. Seitz, on leave, introduced the following bill, which was read the first time :

S. B. No. 226—To amend section two of an act supplementary to an act to preserve the purity of elections, passed May 5, 1868.

Mr. Forrest submitted the following report :

The standing committee on Judiciary, to whom was referred S. B. No. 184—To amend section eleven, of chapter six of the Criminal Code, as passed on the 5th day of May, A.D. 1877, entitled an act to amend, revise and consolidate the statutes relating to crimes and offenses, and to repeal certain acts therein named, to be known as title one, crimes and offenses, part four of the act to revise and consolidate the general statutes of Ohio—having had the same under consideration, report it back, and recommend its indefinite postponement.

LYMAN J. JACKSON,	IRVINE DUNGAN,
W. T. FORREST,	D. WAGENER,
W. P. HOWLAND,	G. M. SALTZGABER.

Said report was agreed to.

Mr. Forrest submitted the following report :

The standing committee on Judiciary, to whom was referred H. B. No. 405—To authorize the Commissioners of Belmont county to pay to Samuel D. Talbott sixty dollars for the pursuit and arrest of a horse-thief - having had the same under consideration, report it back, and recommend its indefinite postponement.

LYMAN J. JACKSON,	IRVINE DUNGAN,
W. T. FORREST,	D. WAGENER,
W. P. HOWLAND,	G. M. SALTZGABER.

Said report was agreed to.

Mr. Forrest submitted the following report :

The standing committee on Judiciary, to whom was referred H. B. No. 552 — Supplementary to an act entitled Procedure in Probate Court—having had the same under consideration, report it back, and recommend its indefinite postponement.

LYMAN. J. JACKSON,	IRVINE DUNGAN,
W. T. FORREST,	D. WAGENER,
W. P. HOWLAND,	G. M. SALTZGABER.

Said report was agreed to.

Mr. Saltzgaber submitted the following report :

The standing committee on Judiciary, to whom was referred S. B. No. 213—To amend section one, of chapter eight of an act entitled an act to revise and consolidate the laws relating to procedure in the Probate Court, passed May 7, 1878, (O. L., Vol. 75, p. 960)—having had the same

under consideration, report it back, with the following amendment, and recommend its passage when so amended, viz.:

To strike out of section one, the word "Van Wert."

LYMAN J. JACKSON, W. P. HOWLAND,
W. T. FORREST, D. WAGENER.
G. M. SALTZGABER,

Said amendment was agreed to, and the bill was ordered to be engrossed and read the third time on Wednesday next.

Mr. Dungan submitted the following report:

The joint committee on Enrollment have examined, and found correctly enrolled, the following bill:

H. B. No. 14 - To amend an act entitled an act to amend section twenty-eight of the Code of Civil Procedure, passed March 30, 1874, (Sayler's Stat., p. 3222).

J. W. WASHBURN, IRVINE DUNGAN,
F. M. CARTER, WM. JESSUP,
A. D. MARSH, E. S. PERKINS.
C. F. KRIMMEL,

Mr. Steedman submitted the following report:

The standing committee on Public Works, to whom was referred S. B. No. 217—Supplementary to an act defining the powers and prescribing the duties of the Board of Public Works, passed May 14, 1878, (O. L., Vol. 75, p. 584)—having had the same under consideration, report it back, and recommend its passage.

JAMES B. STEEDMAN, G. A. GROVE,
LYMAN J. JACKSON, H. C. LORD.
G. M. SALTZGABER,

Said bill was ordered to be engrossed and read the third time on Wednesday next.

Mr. Owens presented the petition of J. W. Sharp and 449 other citizens of Delaware county, asking legislation to protect them from the evils resulting from the manufacture, traffic in, and use of intoxicating liquors.

Which was referred to the committee on Sanitary Laws and Regulations.

Leave of absence was granted for the committee on Reform School and Industrial School for Girls, for this afternoon and to-morrow.

On motion of Mr. Stokes, the Senate took a recess.

THREE O'CLOCK P.M.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives insists on its amendments to—S. J. R. No. 64—Mr. Forrest—Governing bills prepared by the Codifying Commission—and asks for a committee of Conference.

Attest:

L. A. BRUNNER, *Clerk.*

Mr. Curtiss moved that the Senate accede to the request of the House. Which was agreed to.

The President appointed Messrs. Forrest, Curtiss and Fisher as such Conference committee on part of the Senate.

Mr. Lord moved that the committee on Privileges and Elections be discharged from the consideration of S. B. No. 221.

Which was agreed to.

On motion of Mr. Lord, said S. B. No. 221 was referred to the committee on the Judiciary.

On motion of Mr. Steedman, the Senate adjourned until 8 o'clock to-morrow morning.

Attest:

ALLEN O. MYERS, *Clerk*.

FRIDAY, *January* 17, 1879—8 o'clock A.M.

The Senate met pursuant to adjournment.

The Journal was read and approved.

Mr. Beer moved that the Senate adjourn until Tuesday next, at 3 o'clock P.M.

Which was agreed to.

The President announced that the Senate will stand adjourned, in pursuance of S. R. No. 78, until Tuesday next, at 3 o'clock P.M.

Attest:

ALLEN O. MYERS, *Clerk*.

TUESDAY, *January* 21, 1879—3 o'clock P.M.

The Senate met pursuant to adjournment.

Prayer by Rev. I. F. King.

The Journal of Friday last was read and approved.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The following bills have been introduced in the House of Representatives, and read the first time:

H. B. No. 635—Mr. Quinn—To amend and repeal sections one and two of an act entitled an act to fix the compensation of members and officers of the General Assembly, passed April 2, 1866, and section one of an act to fix the compensation of members and officers of the General Assembly, passed April 2, 1866, passed February 27, 1867, and to repeal said acts.

H. B. No. 636—Mr. Swaim—To amend sections fifty-three and fifty-four of an act entitled an act to provide for the creation and regulation of incorporated companies in the State of Ohio, passed May 1, 1852, (S. & C. pp. 271-299-300), as amended by an act to provide for the creation and regulation of incorporated companies in the State of Ohio, passed April 17, 1867, (S. & C., p. 157), and to provide for the creation and regulation of competing gas companies.

H. B. No. 637—Mr. Dodds—To amend the act of May 14, 1878, entitled an act to amend, revise and consolidate the statutes relating to municipal corporations, to be known as title twelve, part one of the act to revise and consolidate the general statutes of Ohio.

H. B. No. 638—Mr. Dodds—To amend an act entitled an act to provide for the cleaning and control of streets in cities of the first class having a population of more than two hundred thousand, and to repeal an act therein named, passed April 9, 1878, (O. L., Vol. 75, pp. 104-105).

H. B. No. 639—Mr. Clough—Revising and consolidating the statutes relating to public buildings.

H. B. No. 640—Mr. Paine—To authorize the County Commissioners of Jackson county to transfer certain county funds.

H. B. No. 641—Mr. Forsythe—To provide for erection of an intermediate prison and an asylum for the insane convicts of the State of Ohio.

H. B. No. 642—Mr. Levering—To regulate the vendors' lien.

H. B. No. 643—Mr. Groschner—Revising the statutes relating to the Legislative Department.

H. B. No. 644—Mr. Mackey—To amend section six, of division three of an act entitled an act to revise and consolidate the laws relating to civil procedure in Courts of Common Pleas, Superior Courts, in District Courts on appeal, and also the laws relating to procedure in error, mandamus and quo warranto, passed May 14, 1878, (O. L., Vol. 75, p. 629).

H. B. No. 645—Mr. Crosson—To amend section three of an act entitled an act supplementary to an act to provide for the appointment of commissioners to examine claims growing out of the Morgan raid, and prescribing their duties, (Vol. 61, p. 85; S. & S., 466), passed May 13, 1878, (Vol. 75, p. 528).

H. B. No. 646—Mr. Wright—Supplementary to the act of May 14, 1878, entitled an act to revise and consolidate the laws relating to civil procedure in Courts of Common Pleas and Superior Courts, in District Courts on appeal, and also the laws relating to procedure in error, mandamus and quo warranto.

H. B. No. 647—Mr. Dempcy—For the transfer of certain lots of land in the township of Newburg, Cuyahoga county, from the control of the Board of Education of the city of Cleveland, to the Board of Education of the township of Newburg.

H. B. No. 648—Mr. Klimper—To amend section twenty-four, of chapter two of the act entitled an act to amend, revise and consolidate the statutes relating to criminal procedure, (Vol. 74, p. 321).

H. B. No. 649—Mr. Klimper—To amend the act of May 14, 1878, entitled an act to amend, revise and consolidate the statutes relating to municipal corporations, to be known as title twelve, part one of the act to revise and consolidate the general statutes of Ohio, (Vol. 75, p. 161).

H. B. No. 650—Mr. Klimper—To amend the act of May 14, 1878, entitled an act amend, revise and consolidate the statutes relating to municipal corporations, to be known as title twelve, part one of the act to revise and consolidate the general statutes of Ohio, (Vol. 75, p. 161).

H. B. No. 651—Mr. Bohl - To amend an act entitled an act to require inn and boarding-house keepers to provide suitable and sufficient fire-escapes, passed May 5, 1877, (Vol. 74, p. 176).

H. B. No. 652—Mr. Quinn—To amend and repeal sections one and two of an act entitled an act to protect the citizens of Ohio from empiricism and elevate the standing of the medical profession, passed May 5, 1868, (Sayler, Vol. 2, p. 1618).

H. B. No. 653—Mr. Parker—To authorize County Auditors of this State to sell the return-books and statistics of Township Assessors.

H. B. No. 654—Mr. Booth—To amend section two, of chapter seven of an act entitled an act to amend, revise and consolidate the statutes relating to taxation, to be known as title thirteen, part one of the act to revise and consolidate the general statutes, passed May 11, 1878.

H. B. No. 655—Mr. Jessup—To repeal a certain act therein named.

H. B. No. 656—Mr. Lovelace—To amend sections two, three, four and six of an act entitled an act relating to cities of the first class having a population exceeding one hundred and fifty thousand inhabitants, and to repeal section three of an act passed April 18, 1878 (O. L., Vol. 75).

Attest:

L. A. BRUNNER, *Clerk*.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has appointed Messrs. Meuser, Washburn and Townsend, on the part of the House, to consider the differences existing between the two Houses on House Substitute for S. J. R. No. 64—Mr. Forrest—Governing bills prepared by the Codifying Commission.

Attest:

L. A. BRUNNER, *Clerk*.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bill, in which the concurrence of the Senate is requested:

H. B. No. 568—Mr. Wales—To authorize the Trustees of Wayne township, Warren county, Ohio, to lease a portion of the township-house in Waynesville.

Attest:

L. A. BRUNNER, *Clerk*.

Said bill was read the first time.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The Speaker of the House of Representatives has, in the presence of the House, signed the following bill.

H. B. No. 14—Mr. Haley—To amend an act entitled an act to amend section twenty-eight of the code of civil procedure, passed March 30, 1874, (Sayler's Stat., p. 3222).

Attest:

L. A. BRUNNER, *Clerk*.

The President *pro. tem.*, in presence of the Senate, signed said bill.

Bills were read the second time and referred, as follows:

H. B. No. 53—Mr. Reed of Ross—To amend section one of an act passed March 27, 1875, (O. L., Vol. 72, p. 80), entitled an act to amend section one of an act entitled an act to fix the rates of toll on turnpike and plank-road companies, passed March, 1875, (Swan & Sayler, p. 147).

Committee on Railroads, Telegraphs and Turnpikes.

S. B. No. 224—Mr. Benson—To amend an act entitled an act to amend, revise and consolidate the statutes relating to municipal corporations, passed May 14, 1878.

Committee on Municipal Corporations.

S. B. No. 225—Mr. Jackson of Perry—To punish vagrancy, and to repeal a section therein named, (O. L., 74, p. 277).

Committee on Judiciary.

S. B. No. 226—Mr. Seitz—To amend section two of an act supplementary to an act to preserve the purity of elections, passed May 5, 1868, (S., 1608).

Committee on the Judiciary.

Mr. Benson offered the following resolution, which was adopted :

S. R. No. 79: WHEREAS, It has pleased Almighty God to remove from earth Hon. Wm. P. Reid, an ex-member of the Senate of Ohio, and a highly esteemed citizen of the State ; and

WHEREAS, It is fitting that this body should show some tribute of respect to his memory ; therefore, be it

Resolved, That the flag of the Senate be displayed at half-mast on the day of his funeral, Wednesday, 22d inst.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The House of Representatives has passed the following bill, in which the concurrence of the Senate is requested :

H. B. No. 429—Mr. Booth—To regulate the fees of county auditors, clerks of courts, probate judges, sheriffs, treasurers, and recorders, and to repeal sections one, two, three, five, six, eight, nine, eleven, sixteen, twenty-four and thirty-nine of an act entitled an act to regulate the fees of probate judges, clerks of the courts, sheriffs, witnesses, jurors, fees in partition, and to repeal certain acts therein named, passed April 18, 1876, (73, O. L., 127).

Attest :

L. A. BRUNNER, *Clerk*.

Said bill was read the first time.

Mr. Marsh, on leave, introduced the following bill, which was read the first time :

S. B. No. 227—To amend section one, of chapter one, and section one, of chapter two of an act entitled an act to amend and revise the statutes relating to taxation, to be known as title thirteen, part one of the act to revise and consolidate the general statutes, (O. L., Vol. 75, p. 436).

On motion of Mr. Benson, the Senate adjourned.

Attest :

ALLEN O. MYERS, *Clerk*.

WEDNESDAY, January 22, 1879—10 o'clock, A.M.

The Senate met pursuant to adjournment.

Prayer by Rev. I. F. King.

The Journal was read and approved.

Mr. Curtiss presented the petition of Nelson Eggleston and other citizens of Solon, Cuyahoga county, asking that the present school laws be repealed so far as they apply to townships, and that said townships be remanded back to the old system.

Which was referred to the committee on Common Schools and School Lands.

Bills were read the second time and referred, as follows :

H. B. No. 568—Mr. Wales—To authorize the Trustees of Wayne township, Warren county, Ohio, to lease a portion of the township-house in Waynesville.

Committee on Corporations other than Municipal.

H. B. No. 429—Mr. Booth—To regulate the fees of county auditors, clerks of courts, probate judges, sheriffs, treasurers and recorders, and to

repeal sections one, two, three, five, six, eight, nine, eleven, sixteen, twenty-four, thirty-nine of an act entitled an act to regulate the fees of probate judges, clerks of the courts, sheriffs, witnesses, jurors, fees in partition, and to repeal certain acts therein named, passed April 18, 1876, (73, O. L., 127).

Committee on Salaries and Fees of Public Officers.

S. B. No. 227—Mr. Marsh—To amend section one, of chapter one, and section one, of chapter two of an act entitled an act to amend and revise the statutes relating to taxation, to be known as title thirteen, part one of the act to revise and consolidate the general statutes, (O. L., Vol. 75, p. 436).

Committee on Finance.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The following bills have been introduced in the House of Representatives, and read the first time :

H. B. No. 657—Mr. Marsh—To amend an act known as part one, crimes and offenses, part four of the act to revise and consolidate the general statutes of Ohio, passed May 5, 1877, (O. L., Vol. 74, p. 240.)

H. B. No. 658—Mr. Reed of Ross—To amend section twenty-two, chapter one, division five of the act to revise and consolidate the laws relating to civil procedure in Courts of Common Pleas and Superior Courts, in District Courts on appeal, and also the laws relating to procedure in error, mandamus and quo warranto, passed May 14, 1878, (O. L., Vol. 95, 684).

H. B. No. 659—Mr. Maury—To adopt a uniform standard of text-books in the common schools in each county in this State, being amendatory to section fifty-two, of chapter six of the school laws, passed May 1, 1873, revised May 1875.

H. B. No. 660—Mr. Crosson—For the relief of Charles T. Burnside, George Girrardy and Horatio M. Chatterton, of Clermont county, Ohio.

H. B. No. 661—Mr. Hitchcock—To authorize the Township Trustees of Charden township, Geauga county, to issue bonds and to borrow money to construct a vault.

H. B. No. 662—Mr. Dalzell—To amend section five, of chapter one of an act entitled an act to revise and consolidate the laws relating to procedure in the Probate Court, (O. L., 75, p. 839.)

H. B. No. 663—Mr. Covert—For the prevention of cruelty to persons.

H. B. No. 664—Mr. Covert—To subject part of the wages of husbands to the support of their wives and minor children.

H. B. No. 665—Mr. Sextro—To amend section forty-three, of chapter four, division seven of an act entitled an act to amend, revise and consolidate the statutes relating to municipal corporations, to be known as title twelve, part one of the act to revise and consolidate the general statutes of Ohio, passed May 14, 1878, (O. L., Vol. 75, p. 322).

H. B. No. 666—Mr. Crosley—To amend sections three and four of an act to enable the Commissioners of Montgomery and Warren counties to purchase toll-roads, and to convert the same into free turnpike roads, passed May 10, 1878, (O. L., 75, p. 1150).

H. B. No. 667—Mr. Greene—To amend section one, chapter eight of an act entitled an act to revise and consolidate the laws relating to procedure in the Probate Court, passed May 7, 1878, (O. L., Vol. 75, p. 960).

H. B. No. 668—Mr. Hostetter—To amend section twenty, of chapter three, division three of the act entitled an act to revise and consolidate the laws of Ohio relating to procedure in Probate Courts, passed May 7, 1878.

H. B. No. 669—Mr. Hume—To amend section thirty, chapter eight of an act entitled an act to amend, revise and consolidate the statutes relating to crimes and offenses, and to repeal certain acts therein named, to be known as title one, crimes and offenses, part four of the act to revise and consolidate the general statutes of Ohio, (Vol. 74, p. 271).

Attest:

L. A. BRUNNER, *Clerk*.

The President presented the resolutions adopted at a reunion of the 8th Ohio Volunteers, held at Elyria, September 17, 1878, in relation to the reorganization of the Soldiers' and Sailors' Orphans' Home.

Which was referred to the committee on Soldiers' and Sailors' Orphans' Home.

S. B. No. 208—Mr. Sherrick—To amend section twenty-eight of an act entitled an act relating to roads and highways, as amended March 28, 1878, (O. L., Vol. 75, p. 83)—was read the third time.

Mr. Saltzgaber moved to refer the bill to a select committee of one, with instructions to amend as follows:

Amend section 1 by inserting before line 2, "said"; and striking out of the same line: "of the act to which this is an amendment."

Which was agreed to, and Mr. Saltzgaber was appointed such committee, and reported it back amended as instructed.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 24, nays none, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Carlisle, Carson, Curtiss, Dungan, Fisher, Grove, Irvine, Jackson of Clinton, Joy, Krimmel, Marsh, Owens, Parker, Richards, Saltzgaber, Seitz, Sherrick, Stokes, Tyler, Wagener and Williams—24.

So the bill passed. The title was agreed to.

MESSAGE FROM THE GOVERNOR.

THE STATE OF OHIO, EXECUTIVE DEPARTMENT,

COLUMBUS, 22d day of January, 1879.

To the Senate:

I have the honor to nominate, and by and with the advice and consent of the Senate, appoint Frank M. Atkinson, of Batesville, Noble county, to be Inspector of Leaf-tobacco, to fill the unexpired term of William C. Watson, resigned.

Very respectfully,

RICHARD M. BISHOP.

Mr. Wagener moved that the Senate advise and consent to said appointment.

Mr. Saltzgaber moved that said communication be referred to the committee on Manufactures and Commerce.

Which was agreed to.

S. B. No. 213—Mr. Owens—To amend section one, of chapter eight of an act entitled an act to revise and consolidate the laws relating to pro-

cedure in the Probate Courts, passed May 7, 1878, (O. L., Vol. 75, p. 960)—was read the third time.

Mr. Joy moved to refer the bill to a select committee of one, with instructions to amend as follows:

In section 1, after the word "Monroe", insert the word "Hancock."

Which was agreed to, and Mr. Joy was appointed such committee, and reported the bill back amended as instructed.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 29, nays none, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Carlisle, Carson, Curtiss, Dungan, Fisher, Forrest, Grove, Howland, Irvine, Jackson of Clinton, Joy, Kelley, Krimmel, Marsh, McDonald, Owens, Parker, Richards, Sabine, Saltzgaber, Scitz, Sherrick, Stokes, Tyler, Wagener and Wilson—29.

So the bill passed. The title was agreed to.

Mr. Grove moved that the consideration of S. B. No. 217 be postponed until to-morrow.

Which was agreed to.

Mr. Jackson of Clinton introduced the following bill, which was read the first time:

S. B. No. 228—To amend section one of an act entitled an act to amend section one of an act to amend sections one and four of an act entitled an act to provide for the repair of free turnpike roads in certain counties, and to authorize the County Commissioners of any county in this State to constitute a board of directors, to regulate the hauling of heavy burdens on any free turnpike or improved road, passed and took effect April 20, 1874, passed March 17, 1875, (72 O. L., 59), passed April 3, 1876, (73 O. L., 151), passed May 2, 1877, (74 O. L., 153).

Mr. Forrest submitted the following report:

The standing committee on Judiciary, to whom was referred S. B. 202—To amend section thirteen, of chapter four of an act entitled an act to amend, revise and consolidate the statutes relating to crimes and offenses, and to repeal certain acts therein named, to be known as title one, crimes and offenses, part four of the act to revise and consolidate the general statutes of Ohio, passed May 5, 1877 - having had the same under consideration, report it back, with the following amendments, and recommend its passage when so amended: To strike out the words "embezzles or," on line 7; and to insert on line 8, after the word "use," the words "shall be deemed guilty of embezzlement" and to add to title, after "1877," the words; (O. L., Vol. 74, p. 250).

IRVINE DUNGAN, G. M. SALTZGABER,
W. T. FORREST, W. P. HOWLAND.

Said amendments were agreed to, and the bill was ordered to be engrossed and read the third time to-morrow.

Mr. Forrest submitted the following report:

The standing committee on Judiciary, to whom was referred S. J. R. No. 65 - Providing for an amendment to the Constitution, having had the same under consideration, report it back, with the following amendments, and recommend its adoption when so amended: Strike out all after the word "Sec. 33," on lines 8, and 9 and insert: "There shall be but one adjourned session of the General Assembly, and such adjourned session shall not continue for more than thirty days." In line 12, strike out "tickets", and insert "ballots."

W. T. FORREST, G. M. SALTZGABER,
IRVINE DUNGAN, W. P. HOWLAND.

Said amendments were agreed to, and, on motion of Mr. Richards, the further consideration of said joint resolution was postponed until 3½ o'clock P.M. to-morrow, and made the special order for that hour.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The House of Representatives has passed the following bill, in which the concurrence of the Senate is requested :

H. B. No. 595—Mr. Alexander—Making partial appropriations for the fiscal year 1879.

Attest :

L. A. BRUNNER, *Clerk*.

Said bill was read the first time.

Mr. Beebe presented the petition of H. W. Carter and 308 other citizens of Summit county, asking for local option.

Which was referred to the committee on Sanitary Laws and Regulations.

Mr. Fisher moved that the constitutional rule, requiring bills to be read on three different days, be suspended, that H. B. No. 595 may be read the second time.

On which motion the yeas and nays were taken, and resulted—yeas 29, nays none, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Carlisle, Carson, Curtiss, Dungan, Fisher, Forrest, Grove, Howland, Irvine, Jackson of Clinton, Joy, Kelley, Krimmel, Marsh, McDonald, Owens, Parker, Richards, Sabine, Saltzgaber, Seitz, Sherrick, Stokes, Wagener, Williams and Wilson—29.

So the motion was agreed to, and the bill was read the second time and referred to the committee on Finance.

Mr. Krimmel presented the petition of Lessees of Public Works, by Chas. Parrott, General Agent, praying for balance due said board for property transferred to State.

Which was referred to the committee on Public Works.

On motion of Mr. Seitz, the Senate took a recess

THREE O'CLOCK P.M.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The House of Representatives has passed the following bill, in which the concurrence of the Senate is requested :

H. B. No. 576—Mr. Ellis—To amend section twenty-six, of chapter eight of an act entitled an act to amend, revise and consolidate the statutes relating to crimes and offenses, and repeal certain acts therein named, to be known as title one, crimes and offenses, part four of the act to revise and consolidate the general statutes of Ohio, (O. L., Vol. 74, p. 271).

H. B. No. 198—Mr. Dodds—To amend section one of an act entitled an act concerning Notaries Public and Commissioners, and prescribing their duties, passed March 13, 1856, (Swan & Critchfield, p. 872).

Attest :

L. A. BRUNNER, *Clerk*.

Said bills were read the first time.

Mr. Seitz submitted the following report :

The committee on Public Expenditures, to whom was referred S. B. No. 220—To authorize the Board of County Commissioners of Hancock county to build a jail, supplemental to an act to authorize the Board of County Commissioners of Hancock county to levy a tax for the purpose of building a county jail, passed April 24, 1878—having had the same under consideration, report it back, and recommend its passage.

JOHN SEITZ,	J. C. FISHER,
H. W. CURTISS,	G. M. SALTZGABER,
H. SABINE,	J. B. WILLIAMS.
C. S. PARKER,	

Said bill was ordered to be engrossed and read the third time to-morrow.

Mr. Carlisle submitted the following report :

The committee on Roads and Highways, to whom was referred H. B. No. 559—To authorize the Commissioners of Lucas county to replank a certain road therein named—having had the same under consideration, report it back, and recommend its passage.

B. W. CARLISLE,	J. C. McDONALD,
J. B. WILLIAMS,	C. S. PARKER,
THOS. S. JACKSON,	LINDSEY KELLEY.

Said bill was ordered to be engrossed and read the third time to-morrow.

Mr. Carson submitted the following report :

The committee on Finance, to whom was referred H. B. No. 520—For the relief of Henry B. Bennett -having had the same under consideration, report it back, and recommend its passage.

J. M. CARSON,	J. SHERRICK,
THOS. M. BEER,	H. W. CURTISS.
IRVINE DUNGAN,	

Said bill was ordered to be engrossed and read the third time now, and was then read.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 23, nays 2, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Carlisle, Carson, Curtiss, Dungan, Fisher, Howland, Irvine, Jackson of Clinton, Marsh, McDonald, Parker, Richards, Sabine, Saltzgaber, Seitz, Sherrick, Tyler, Wagener, Williams and Wilson—23.

Messrs. Johnston and Owens voted in the negative.

So the bill passed. The title was agreed to.

MESSAGE FROM THE GOVERNOR.

THE STATE OF OHIO, EXECUTIVE DEPARTMENT,

COLUMBUS, 22d day of January, 1879.

To the Senate:

I have the honor to nominate, and by and with the advice and consent of the Senate, appoint F. S. Pursell, of Logan, Hocking county, to be a Trustee of the Athens Asylum for the Insane, for the unexpired term of Ferdinand F. Rempel, resigned.

Very respectfully,

RICHARD M. BISHOP.

Mr. Carlisle moved that the Senate advise and consent to said appointment.

Mr. Seitz moved that the communication be referred to the committee on Benevolent Institutions.

Which was disagreed to.

The question recurring on the confirmation of Mr. Pursell, the yeas and nays were taken, and resulted—yeas 22, nays 3, as follow :

Those who voted in the affirmative were

Messrs. Beebe, Beer, Carlisle, Carson, Curtiss, Dungan, Fisher, Howland, Irvine, Jackson of Clinton, Johnston, Marsh, Owens, Parker, Richards, Sabine, Sherrick, Stokes, Tyler, Wagener, Williams and Wilson—22.

Those who voted in the negative were—

Messrs. Armstrong, Forrest and McDonald—3.

So the Senate advised and consented to said appointment.

Mr. Wagener submitted the following report :

The standing committee on Manufactures and Commerce, to whom was referred the nomination by his Excellency, R. M. Bishop, Governor of Ohio, of Frank M. Atkinson, of Noble county, to be Inspector of Leaf-tobacco, to fill the unexpired term of William C. Watson, resigned—having had the same under consideration, report it back, and recommend that the Senate do advise and consent to said appointment.

J. M. ARMSTRONG,	J. B. WILLIAMS,
D. WAGENER,	G. A. GROVE,
G. P. TYLER,	L. KELLEY.
THOS. M. BEER,	

The question being on the confirmation, the yeas and nays were taken, and resulted—yeas 26, nays none, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Carlisle, Curtiss, Dungan, Fisher, Forrest, Grove, Howland, Irvine, Johnston, Marsh McDonald, Owens, Parker, Richards, Sabine, Saltzgaber, Seitz, Sherrick, Stokes, Tyler, Wagener, Williams and Wilson—26.

So the Senate advised and consented to said appointment.

Mr. Sherrick submitted the following report :

The committee on Finance, to whom was referred S. B. No. 194—To amend section two, of chapter five, of title thirteen of an act to amend and revise the statutes for taxation, to be known as title thirteen, part one of the act to revise and consolidate the general statutes, passed May 11, 1878, (O. L., Vol. 75, p. 472)—having had the same under consideration, report it back, and recommend its passage.

JOHNSON SHERRICK,	IRVINE DUNGAN,
J. M. CARSON,	JOHN SEITZ,
H. W. CURTISS,	THOS. M. BEER.

Said bill was ordered to be engrossed and read the third time now, and was then read.

Mr. Johnston moved that the bill be laid upon the table.

Which was disagreed to.

Mr. Seitz moved that the further consideration of said bill be postponed until to-morrow.

Which was agreed to.

Mr. Sherrick submitted the following report :

The committee on Finance, to whom was referred H. B. No. 595—

Making partial appropriations for the fiscal year 1879—having had the same under consideration, report it back, and recommend its passage.

J. SHERRICK, JOHN SEITZ,
J. M. CARSON, H. W. CURTISS,
IRVINE DUNGAN, THOS. M. BEER.

Said bill was ordered to be engrossed and read the third time to-morrow.
Mr. Dungan submitted the following report:

The committee on Finance, to whom was referred S. B. No. 219—To authorize the County Commissioners of Erie county to build a county jail and issue bonds therefor—having had the same under consideration, report it back, with the following amendment, and recommend its passage when so amended:

In line 2, of section 2, strike out "seven" and insert "six".

IRVINE DUNGAN, J. M. CARSON,
J. SHERRICK, THOS. M. BEER.

Said amendment was agreed to, and the bill was ordered to be engrossed and read the third time to-morrow.

Mr. Dungan submitted the following report:

The committee on Judiciary, to whom was referred S. B. No. 222—To amend section one hundred and ninety-eight, of chapter two of an act to revise and consolidate the laws relating to procedure in the Probate Court, and section sixteen, of chapter three of said act—having had the same under consideration, report it back, and recommend its indefinite postponement.

IRVINE DUNGAN, G. M. SALTZGABER,
W. T. FORREST, D. WAGENER.
W. P. HOWLAND,

Mr. Curtiss moved that said report be laid upon the table.

Which was agreed to.

On motion of Mr. Saltzgaber, the Senate adjourned.

Attest:

ALLEN O. MYERS, *Clerk.*

THURSDAY, January 23, 1879—10 o'clock A.M.

The Senate met pursuant to adjournment.

Prayer by Rev. I. F. King.

The Journal was read and approved.

Mr. Beebe presented the remonstrance of S. D. Miller and 41 other citizens of Norton; Summit county, against passage of H. B. No. 90.

Which was referred to the committee on Common Schools.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bill, in which the concurrence of the Senate is requested:

H. B. No. 609—Mr. Alexander—Making partial appropriations for the fiscal year ending November 15, A.D. 1879, for the several public institutions therein named.

Attest:

L. A. BRUNNER, *Clerk.*

Said bill was read the first time.

Mr. Armstrong presented the petition of Jno. A. Shank, Hoadley, Johnston Colston and 34 other citizens of Hamilton county, praying the passage of S. B. No. 201, creating the office of criminal bailiff.

Which was referred to the committee on Judiciary.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The House of Representatives has passed the following bill, in which the concurrence of the Senate is requested :

H. B. No. 153—Mr. Bohl—To prevent the making and publication of false or deceptive statements in relation to the business of fire-insurance.

Attest :

L. A. BRUNNER, *Clerk.*

Said bill was read the first time.

Bills were read the second time and referred, as follows :

H. B. No. 198—Mr. Dodds—To amend section one of an act entitled an act concerning Notaries Public and Commissioners, and prescribing their duties, passed March 13, 1856, (Swan & Critchfield, p. 872.)

Committee on the Judiciary.

H. B. No. 576—Mr. Ellis—To amend section twenty-six, of chapter eight of an act entitled an act to amend, revise and consolidate the statutes relating to crimes and offenses, and to repeal certain acts therein named, to be known as title one, crimes and offenses, part four of the act to revise and consolidate the general statutes of Ohio, (O. L., Vol. 74, p. 271).

Committee on Fish Culture and Game.

S. B. No. 228—Mr. Jackson of Clinton—To amend section one of an act entitled an act to amend section one of an act to amend sections one and four of an act entitled an act to provide for the repair of free turnpike roads in certain counties, and to authorize the County Commissioners of any county in this State, to constitute a Board of Directors to regulate the hauling of heavy burdens on any free turnpike or improved road, passed and took effect April 20, 1874, passed March 17, 1875, (52, O. L., 59), passed April 3, 1876, (73, O. L., 151), passed May 2, 1877, (74, O. L., 153.)

Committee on Railroads, Telegraphs and Turnpikes.

S. B. No. 217—Mr. Grove—Supplementary to an act defining the powers and prescribing the duties of the Board of Public Works, passed May 14, 1878, (O. L., 75, p. 584)—was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 24, nays 10, as follows.

Those who voted in the affirmative were—

Messrs. Armstrong, Benson, Carlisle, Carson, Dungan, Fisher, Forrest, Grove, Irvine, Jackson of Perry, Joy, Krimmel, Marsh, McDonald, Owens, Parker, Saltzgaber, Seitz, Sherrick, Steedman, Stokes, Tyler, Wagener and Williams—24.

Those who voted in the negative were—

Messrs. Beebe, Beer, Curtiss, Howland, Jackson of Clinton, Johnston, Kelley, Richards, Sabine and Wilson—10.

So the bill passed.

Mr. Johnston moved to amend the title as follows :

Strike out all of the present title, after the word "bill", and insert the

following: "To constitute the Public Works of the State a political machine, to be controlled by the Democratic party, and against the will of the people".

Which was disagreed to.

The title was then agreed to.

S. B. No. 202—Mr. Lord—To amend section thirteen, chapter four of an act entitled an act to amend, revise, and consolidate the statutes relating to crimes and offenses, and to repeal certain acts therein named, to be known as title one, crimes and offenses, part four of the act to revise and consolidate the general statutes, passed May 5, 1877—was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 34, nays none, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe Beer, Benson, Carlisle, Carson, Curtiss, Dungan, Fisher, Forrest, Grove, Howland, Irvine, Jackson of Clinton, Jackson of Perry, Johnston, Joy, Kelley, Krimmel, Marsh, McDonald, Owens, Parker, Richards, Sabine, Saltzgaber, Seitz, Sherrick, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—34.

So the bill passed. The title was agreed to.

Mr. Richards moved that the Senate take a recess.

Which was disagreed to.

H. B. No. 595—Mr. Alexander, from the Finance committee—Making partial appropriations for the fiscal year 1879—was read the third time.

Mr. Johnston moved to refer the bill to a select committee of one, with instructions to amend as follows:

At the end of section 1, add the following: "For salary and expenses of commission appointed to determine the location of the boundary line between the States of Ohio and Pennsylvania, two thousand five hundred dollars."

Which was disagreed to.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 34, nays none, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Carson, Curtiss, Dungan, Fisher, Forrest, Grove, Howland, Irvine, Jackson of Clinton, Jackson of Perry, Johnston, Joy, Kelley, Krimmel, Marsh, McDonald, Owens, Parker, Richards, Sabine, Saltzgaber, Seitz, Sherrick, Steedman, Stokes, Tyler, Wagener Williams and Wilson—34.

So the bill passed. The title was agreed to.

On motion of Mr. Marsh, the Senate took a recess.

THREE O'CLOCK P.M.

S. B. No. 220—Mr. Joy—To authorize the Board of County Commissioners of Hancock county to build a jail, supplementary to an act entitled an act to authorize the Board of County Commissioners of Hancock county to levy a tax for the purpose of building a county jail, passed April 24, 1878, (O. L., Vol. 75, p. 1128)—was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 29, nays none, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Curtiss, Dungan, Fisher, For-

rest, Grove, Irvine, Jackson of Clinton, Jackson of Perry, Johnston, Joy, Marsh, McDonald, Owens, Parker, Richards, Sabine, Saltzgaber, Seitz, Sherrick, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—29.

So the bill passed. The title was agreed to.

H. B. No. 559 Mr. Kellogg—To authorize the Commissioners of Lucas county to replank a certain road therein named—was read the third time.

The question being “Shall the bill pass?” the yeas and nays were taken, and resulted—yeas 31, nays none, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Carson, Curtiss, Dungan, Fisher, Forrest, Grove, Howland, Irvine, Jackson of Clinton, Jackson of Perry, Johnston, Joy, Marsh, McDonald, Owens, Parker, Richards, Saltzgaber, Seitz, Sherrick, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—31.

So the bill passed. The title was agreed to.

S. B. No. 219 Mr. Parker To authorize the County Commissioners of Erie county to build a county jail and issue bonds therefor—was read the third time.

The question being “Shall the bill pass?” the yeas and nays were taken, and resulted—yeas 26, nays 1, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Curtiss, Fisher, Forrest, Grove, Howland, Jackson of Clinton, Jackson of Perry, Johnston, Joy, Marsh, McDonald, Owens, Parker, Richards, Saltzgaber, Sherrick, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—26.

Mr. Dungan voted in the negative.

So the bill passed. The title was agreed to.

Mr. Seitz moved that the Senate proceed to consider S. B. No. 194.

Which was agreed to.

The question being “Shall the bill pass?” the yeas and nays were taken, and resulted—yeas 29, nays none, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Curtiss, Dungan, Fisher, Forrest, Grove, Howland, Irvine, Jackson of Clinton, Johnson, Joy, Krimmel, Marsh, McDonald, Owens, Parker, Richards, Saltzgaber, Seitz, Sherrick, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—29.

So the bill passed. The title was agreed to.

Mr. Steedman moved that H. B. No. 4 be taken from the table.

Which was agreed to.

Mr. Owens moved to refer the bill to a select committee of one, with instructions to amend as follows :

After the word “wherein,” in line 4, of section 1, insert: “at the date of the passage of this bill”.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 18, nays 12, as follow :

Those who voted in the affirmative were—

Messrs. Beebe, Beer, Carson, Curtiss, Grove, Howland, Johnston, Joy, Kelley, Marsh, McDonald, Owens, Richards, Sabine, Saltzgaber, Stokes, Williams and Wilson—18.

Those who voted in the negative were—

Messrs. Armstrong, Benson, Dungan, Fisher, Forrest, Irvine, Krimmel, Parker, Sherrick, Steedman, Tyler and Wagener—12.

So the motion was agreed to, and Mr. Owens was appointed such committee, and he reported the bill back amended as instructed.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 19, nays 12, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Benson, Carlisle, Curtiss, Dungan, Forrest, Grove, Irvine, Jackson of Perry, Joy, Krimmel, Marsh, McDonald, Parker, Sherrick, Steedman, Tyler, Wagener and Williams—19.

Those who voted in the negative were—

Messrs. Beer, Carson, Fisher, Howland, Jackson of Clinton, Johnston, Kelley, Owens, Richards, Sabine, Saltzgaber and Wilson—12.

So the bill was passed.

Mr. Forrest moved to amend the title as follows :

An act to amend section twenty-three, of chapter one, division five of an act to revise and consolidate the laws relating to civil procedure in Courts of Common Pleas and Superior Courts, in District Courts on appeal, and also the laws relating to procedure in error, mandamus and quo warranto, (O. L., Vol. 75, p. 684).

Which was agreed to, and the title as amended was agreed to.

The Senate proceeded to the special order of the hour, viz :

S. J. R. No. 65—Mr. Richards - Providing for an amendment to the Constitution.

Mr. Saltzgaber moved to amend said joint resolution as follows :

Insert after the figures "33", in line 8, the words: "The regular session of the General Assembly shall not continue longer than ninety days, and."

Which was agreed to.

Mr. Wilson moved to further amend said joint resolution as follows :

Between the words "and" and "such," in line 9, insert the word "if"; in line 10, strike out the word "not;" and at the end of line 10, add the following: "the compensation of the members of the General Assembly shall thereafter cease."

Pending which, Mr. Steedman moved that the joint resolution and pending amendment be indefinitely postponed.

Mr. Sherrick moved that the joint resolution and pending amendment be laid on the table.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 17, nays 13, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Benson, Carlisle, Carson, Curtiss, Grove, Irvine, Krimmel, Marsh, McDonald, Owens, Sherrick, Steedman, Stokes, Tyler, Wagener and Williams—17.

Those who voted in the negative were—

Messrs. Beebe, Beer, Fisher, Forrest, Howland, Jackson of Clinton, Johnston, Kelley, Richards, Sabine, Saltzgaber, Seitz and Wilson—13.

So the motion was agreed to.

The President laid before the Senate the report of the Commissioners to revise and consolidate the statutes, which was read.

MESSAGE FROM THE GOVERNOR.

THE STATE OF OHIO, EXECUTIVE DEPARTMENT,

COLUMBUS, 23d day of January, 1879.

To the General Assembly:

I have the honor to transmit herewith a communication from the Ohio Board of the Ohio and Pennsylvania Joint Boundary Commission, and respectfully request your attention thereto. There being but one copy of the same, it is sent to the Senate.

Very respectfully,

RICHARD M. BISHOP.

Mr. Johnston moved that said report be laid on the table, and ordered to be printed.

Which was agreed to.

Mr. Owens, on leave, introduced the following bill, which was read the first time:

S. B. No. 229 To amend section four, of chapter three of an act entitled an act to amend and revise the statutes relating to taxation, to be known as title thirteen, part one of an act to revise and consolidate the general statutes, passed May 11, 1878.

Mr. Owens moved that the constitutional rule, requiring bills to be read on three different days, be suspended, that S. B. No. 229 may be read the second time.

On which motion the yeas and nays were taken, and resulted—yeas 27, nays none, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Carson, Curtiss, Dungan, Fisher, Forrest, Howland, Irvine, Jackson of Clinton, Johnston, Kelley, Krimmel, McDonald, Owens, Parker, Richards, Sabine, Seitz, Sherrick, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—27.

So the motion was agreed to, and the bill was read the second time, and referred to the committee on Finance.

Mr. Sherrick moved that the constitutional rule, requiring bills to be read on three different days, be suspended; that H. B. No. 609 may be read the second time.

On which motion the yeas and nays were taken, and resulted—yeas 29, nays none, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carson, Curtiss, Dungan, Fisher, Grove, Howland, Irvine, Jackson of Clinton, Jackson of Perry, Johnston, Kelley, Krimmel, Marsh, Owens, Parker, Richards, Sabine, Saltzgaber, Sherrick, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—29.

So the motion was agreed to, and the bill was read the second time, and referred to the committee on Finance.

The following bills were introduced, and read the first time:

S. B. No. 230—Mr. Jackson of Clinton— To amend section four, chapter five, division three of an act to revise and consolidate the laws relating to civil procedure in Courts of Common Pleas and Superior Courts, in District Courts on appeal, and also the laws relating to procedure in error, mandamus and quo warranto, passed May 14, 1878, (O. L., Vol. 75, p. 665).

S. B. No. 231—Mr. Saltzgaber—Supplementary to an act to amend an act to authorize the making of real estate indexes, and to further prescribe the duties of County Commissioners and Recorders in certain counties, passed March 20, 1862, passed April 17, 1867, (Sayler, p. 1422.)

Mr. Marsh submitted the following report:

The committee on Municipal Corporations, to whom was referred S. B. No. 224—To amend an act entitled an act to amend, revise and consolidate the statutes relating to municipal corporations, etc., passed May 14, 1878—having had the same under consideration, report it back, and recommend its indefinite postponement.

THEODORE MARSH,	G. A. GROVE,
JAS. B. STEEDMAN,	LYMAN J. JACKSON,
G. M. SALTZGABER,	R. G. RICHARDS.

The report was agreed to.

Mr. Marsh submitted the following report:

The committee on Municipal Corporations, to whom was referred S. B. No. 187—To authorize counties having cities of the first class, with a population exceeding two hundred thousand inhabitants, to issue bonds for the payment of revenues in certain cases—having had the same under consideration, report it back, and recommend its indefinite postponement.

THEO. MARSH,	G. A. GROVE,
JAS. B. STEEDMAN,	G. M. SALTZGABER,
LYMAN J. JACKSON,	R. G. RICHARDS.

The report was agreed to.

Mr. Marsh submitted the following report:

The committee on Municipal Corporations, to whom was referred H. B. No. 155—To authorize the Council of the village of Middleton, Butler county, Ohio, to make a contract with the Middletown Gas Company, for lighting streets, alleys and public buildings, for a period not to exceed ten years, and to levy taxes to pay the cost as it becomes due by the terms of said contract—having had the same under consideration, report it back, and recommend its passage.

LYMAN J. JACKSON,	G. M. SALTZGABER,
THEO. MARSH,	G. A. GROVE,
JAMES B. STEEDMAN,	R. G. RICHARDS.

The bill was ordered to be engrossed and read the third time to-morrow.

Mr. Richards submitted the following report:

The committee on Municipal Corporation, to whom was referred H. B. No. 349—To authorize certain cities of the second class to levy additional taxes—having had the same under consideration, report it back, and recommend its indefinite postponement.

JAMES B. STEEDMAN,	THEO. MARSH,
LYMAN J. JACKSON,	G. M. SALTZGABER,
G. A. GROVE,	R. G. RICHARDS.

The report was agreed to.

On motion of Mr. Marsh, the Senate adjourned.

Attest:

ALLEN O. MYERS, *Clerk.*

FRIDAY, *January* 24, 1879—10 o'clock A.M.

The Senate met pursuant to adjournment.

Prayer by Rev. I. F. King.

The Journal was read and approved.

Bills were read the second time and referred, as follows:

H. B. No. 153—Mr. Bohl—To prevent the making and publication of false or deceptive statements in relation to the business of fire-insurance.

Committee on Insurance.

S. B. No. 230—Mr. Jackson of Clinton—To amend section four, chapter five, division three of an act to revise and consolidate the laws relating to civil procedure in Courts of Common Pleas and Superior Courts, in District Courts on appeal, and also the laws relating to procedure in error, mandamus and quo warranto, passed May 14, 1878, (Vol. 75, O. L., p. 665).

Committee on the Judiciary.

S. B. No. 231—Mr. Saltzgaber—Supplementary to an act to amend an act to amend an act to authorize the making of real estate indexes, and to further prescribe the duties of County Commissioners and Recorders in certain counties, passed March 20, 1862, passed April 17, 1867, (Saylor, p. 1422.)

Committee on the Judiciary.

H. B. No. 155—Mr. Clough—To authorize the Council of the village of Middletown, Butler county, Ohio, to make a contract with the Middletown Gas Company for lighting streets, alleys, and public buildings, for a period not to exceed ten years, and to levy taxes to pay the cost as it becomes due by the terms of said contract—was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 23, nays 1, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Carson, Curtiss, Dungan, Fisher, Grove, Irvine, Jackson of Clinton, Johnston, Krimmel, Lord, Marsh, McDonald, Owens, Richards, Seitz, Sherrick, Steedman, Stokes, Tyler, Wagener and Williams—23.

Mr. Beer voted in the negative.

So the bill passed. The title was agreed to.

Mr. Stokes, on leave, introduced the following bill, which was read the first time:

S. B. No. 232—To amend section four of an act entitled an act to protect Agricultural Fairs and Fair-grounds, passed April 11, 1856.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bill, in which the concurrence of the Senate is requested:

H. B. No. 617—Mr. Boyce—To authorize the Council of the village of East Liverpool, Columbiana county, to issue bonds for the construction of water-works.

Attest:

L. A. BRUNNER, *Clerk.*

Said bill was read the first time.

Mr. Richards moved that the constitutional rule, requiring bills to be read on three different days, be suspended, that H. B. No. 617 may be read the second time.

On which motion the yeas and nays were taken, and resulted—yeas 28, nays none, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Carson, Curtiss, Dungan, Fisher, Forrest, Grove, Howland, Irvine, Jackson of Clinton, Johnston, Joy, Kelley, Krimmel, Lord, Marsh, McDonald, Owens, Richards, Sabine, Seitz, Steedman, Stokes, Tyler, Wagener and Williams—28.

So the motion was agreed to, and the bill was read the second time and referred to the committee on Municipal Corporations.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The House of Representatives has refused to agree to the report of the Conference committee on Substitute for S. J. R. No. 64, by Mr. Forrest, and asks for another committee of Conference.

Attest : L. A. BRUNNER, *Clerk*.

Mr. Richards moved that the Senate accede to the request of the House. Which was agreed to.

The President appointed Messrs. Richards, Owens and Steedman as such Conference committee on part of the Senate.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The following bills have been introduced in the House of Representatives, and read the first time :

H. B. No. 670—Mr. Norton—To regulate the listing of property of ice producers for taxation.

H. B. No. 671—Mr. Sullivan of Miami—To limit the creation and change of sub-districts, joint sub-districts, and special districts.

H. B. No. 672—Mr. Klimper—Providing for the superintendence of the Court-house and jail in certain counties.

H. B. No. 673—Mr. Booth—To amend an act entitled an act to amend section eleven of an act entitled an act relative to the appointment and duties of a reporter of the Supreme Court, and the preparation, publication and distribution of reports of said courts, passed April 23, 1872, (Vol. 69, p. 99), as amended April 11, 1876, (Vol. 73, p. 172).

H. B. No. 674—Mr. Sextro—Revising and consolidating the statutes relating to counties.

H. B. No. 675—Mr. Greene—Supplementary to an act entitled an act to amend section one of an act entitled an act to authorize the Trustees of Silver Creek township, Greene county, to loan certain moneys, as amended March 15, 1875, passed April 8, 1876, (Vol. 73, p. 289).

H. B. No. 676—Mr. Paine—To amend section four, of chapter three of an act passed May 11, 1878, entitled an act to amend and revise the statutes relating to taxation, to be known as title thirteen, part one of the act to revise and consolidate the general statutes.

H. B. No. 677—Mr. Levering—To amend section twenty-three, of chapter two of an act to amend and revise and consolidate the statutes relating to taxation, to be known as title thirteen, part one of the act to revise and consolidate the general statutes, (Vol. 75, pp. 448–449, O. L.), passed May 11, 1878, and took effect July 1, 1878.

H. B. No. 678—Mr. Clough—Supplementary to the act of May 14, 1878, entitled an act to amend, revise and consolidate the statutes relating to municipal corporations, to be known as title twelve, part one of the act to revise and consolidate the general statutes of Ohio.

H. B. No. 679—Mr. Wolf—For the relief of George Amerine.

H. B. No. 680—Mr. Dow—To authorize the Trustees of Perry township, Logan county, to transfer certain funds.

H. B. No. 681—Mr. Wright—To amend the act of May 14, 1878, entitled an act to revise and consolidate the laws relating to civil procedure in Courts of Common Pleas and Superior Courts, in District Courts on appeal, and also the laws relating to procedure in error, mandamus and quo warranto, (Vol. 75, pp. 597-641).

H. B. No. 682—Mr. Covert—To amend the act of May 5, 1877, entitled an act to amend, revise, and consolidate the statutes relating to crimes and offenses, and to repeal certain acts therein named, to be known as title one, crimes and offenses, part four of the act to revise and consolidate the general statutes of Ohio.

H. B. No. 683—Mr. Booth—Supplementary to an act entitled an act to revise and consolidate the laws relating to procedure in Probate Courts, passed May 7, 1878, and took effect September 1, 1878.

H. B. No. 684—Mr. Sextro—To amend sections sixty-two, sixty-five, sixty-seven and sixty-eight, chapter one of division five of an act entitled an act to revise and consolidate the laws relating to civil procedure in Courts of Common Pleas and Superior Courts, in District Courts on appeal, and also the laws relating to procedure in error, mandamus and quo warranto.

H. B. No. 685—Mr. Wasson—To authorize the use of a portion of the school fund of sub-district No. 5 of Walnut township, Gallia county, Ohio, for the purpose of having a German school taught in said sub-district.

Attest:

L. A. BRUNNER, *Clerk*.

Mr. Sherrick submitted the following report:

The committee on Finance, to whom was referred H. B. No. 609—Making partial appropriations for the fiscal year ending November 15, A. D. 1879, for the several public institutions therein named—having had the same under consideration. report it back, with the following amendments, and recommend its passage when so amended:

In line 7, section 1, strike out "fifteen hundred dollars (1500.00)," and insert: "eleven hundred dollars (1100.00)". Line 9, section 1, strike out "thirty," and insert "thirty-nine." Line 13, section 1, strike out "one thousand," and insert: "twelve hundred and fifty." Line 16, section 1, strike out "one thousand," and insert: "eleven hundred." Line 19, strike out "three thousand," and insert: "forty-five hundred." Add to line 38, section 1, "for boy."

JOHNSON SHERRICK,	IRVINE DUNGAN,
J. M. CARSON,	JOHN SEITZ,
H. W. CURTISS,	THOS. M. BEER.

The amendments were agreed to.

Mr. Johnston moved that the Senate resolve itself into committee of the Whole, for the purpose of considering said H. B. No. 609.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 5, nays 16, as follow:

Those who voted in the affirmative were—

Messrs. Jackson of Clinton, Johnston, Kelley, Richards and Sabine—5.

Those who voted in the negative were—

Messrs. Armstrong, Beer, Fisher, Grove, Irvine, Jackson of Perry, Lord, Marsh, Owens, Parker, Seitz Sherrick, Steedman, Stokes, Tyler and Williams—16.

So the motion was disagreed to, and said bill was ordered to be engrossed and read the third time now, and was then read.

The question being “Shall the bill pass?” the yeas and nays were taken, and resulted—yeas 26, nays 2, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Carson, Curtiss, Fisher, Forrest, Grove, Howland, Jackson of Clinton, Jackson of Perry, Joy, Krimmel, Lord, Marsh, McDonald, Owens, Parker, Sabine, Seitz, Sherrick, Steedman, Tyler, Wagener, Williams and Wilson—26.

Messrs. Johnston and Richards voted in the negative.

So the bill passed. The title was agreed to.

Mr. Curtiss submitted the following report :

The committee on Benevolent Institutions, to whom was referred S. B. No. 218, having had the same under consideration, report it back, with the following amendment, and recommend its passage when so amended :

Strike out in line 20, the words “the Board of Education of such city”, and insert : “a board of three special trustees, one to serve for one year, one to serve for two years, and one to serve for three years, who shall be appointed by the Board of Trustees of the Institution for the Education of the Deaf and Dumb, situated in Columbus, Franklin county.”

H. W. CURTISS,	GEO. P. TYLER,
G. A. GROVE,	THEO. MARSH,
C. F. KRIMMEL,	D. D. BEEBE.

The amendment was agreed to, and the bill was ordered to be engrossed and read the third time now, and was then read.

Mr. Steedman moved to refer the bill to a select committee of one, with instructions to amend as follows :

In section 1, line 28, after the word “school”, insert the following : “Provided, that the Trustees of the Deaf and Dumb Asylum shall not, in establishing the branch asylum, authorized by this act, purchase any grounds, or erect any buildings”.

Pending which, on motion of Mr. Grove, the Senate took a recess

THREE O’CLOCK P.M.

The question being on Mr. Steedman’s motion, to refer S. B. No. 218 to a select committee of one, with instructions to amend—

Said motion was agreed to, and Mr. Steedman was appointed such committee, and reported the bill back amended as instructed.

On demand of Mr. Krimmel, a call of the Senate was had.

Messrs. Benson, Carlisle, Jackson of Clinton, Jackson of Perry, McDonald and Wagener were absent.

Mr. Richards moved that further proceedings under the call be dispensed with.

Which was agreed to.

The question being “Shall the bill pass?” the yeas and nays were taken, and resulted—yeas 11, nays sixteen, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Curtiss, Forrest, Grove, Joy, Krimmel, Marsh, Steedman, Stokes and Tyler—11.

Those who voted in the negative were—

Messrs. Beer, Carson, Dungan, Fisher, Howland, Irvine, Johnston, Kelley, Lord, Owens, Parker, Richards, Sabine, Saltzgaber, Seitz and Wilson—16.

So the bill, having failed to receive a constitutional majority, was lost.

Mr. Owens submitted the following report :

The select committee of five, to whom was referred S. B. No. 215—To amend section sixteen, of chapter nine of an act to amend, revise and consolidate the statutes relating to crimes and offenses, and to repeal certain acts therein named, to be known as title one, crimes and offenses, part four of the act to revise and consolidate the general statutes of Ohio, passed May 5, 1877, (O. L., Vol. 74, p. 282)—having had the same under consideration, report it back, and recommend its passage.

JAMES W. OWENS, IRVINE DUNGAN,
W. P. HOWLAND, G. A. GROVE.
R. G. RICHARDS,

The bill was ordered to be engrossed and read the third time to-morrow.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The House of Representatives has adopted the following joint resolution, in which the concurrence of the Senate is requested :

H. J. R. No. 71—Mr. Bohl—In regard to statements of Ohio fire-insurance companies.

Attest :

L. A. BRUNNER, *Clerk.*

Mr. Owens moved that said joint resolution be referred to the committee on Insurance.

Which was agreed to.

Mr. Lord moved that the vote whereby S. B. No. 218 was lost be reconsidered.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 20, nays 9, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Curtiss, Dungan, Forrest, Grove, Howland, Irvine, Johnston, Joy, Kelley, Krimmel, Lord, Marsh, Parker, Richards, Steedman, Stokes, Tyler and Williams—20.

Those who voted in the negative were—

Messrs. Beer, Carson, Fisher, Owens, Sabine, Saltzgaber, Seitz, Sherrick and Wilson—9.

So the motion was agreed to.

Mr. Lord moved that said bill be referred to the joint select committee on the Deaf and Dumb Asylum.

Mr. Forrest moved that the bill be laid on the table.

Which was disagreed to.

Mr. Seitz moved that the further consideration of said bill be postponed until the first Monday in June next.

Mr. Forrest moved that said motion to postpone to a day certain be laid on the table.

Which was agreed to.

Mr. Beer submitted the following report :

The committee on Finance, to whom was referred S. B. No. 229—To amend section four, of chapter three of an act entitled an act to amend and revise the statutes relating to taxation, to be known as title thirteen, part one of the act to revise and consolidate the general statutes, passed May 11, 1878, (O. L., Vol. 75, p. 460)—having had the same under consideration, report it back, and recommend its passage.

J. SHERRICK,	JOHN SEITZ,
J. M. CARSON,	H. W. CURTISS,
IRVINE DUNGAN,	THOS. M. BEER.
H. C. LORD,	

The bill was ordered to be engrossed and read the third time now, and was then read.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 26, nays none, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Carson, Curtiss, Dungan, Fisher, Grove, Howland, Jackson of Clinton, Johnston, Joy, Kelley, Krimmel, Lord, Marsh, McDonald, Owens, Richards, Seitz, Sherrick, Steedman, Stokes, Tyler, Williams and Wilson—26.

So the bill passed. The title was agreed to.

Mr. Fisher submitted the following report :

The committee on Revision has examined, and found correctly engrossed, the Senate amendments to H. B. No. 609.

J. C. FISHER,	G. W. WILSON,
G. M. SALTZGABER,	J. M. CARSON.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The House of Representatives has passed the following bill, in which the concurrence of the Senate is requested :

H. B. No. 631—Mr. Cowgill—Supplementary to an act entitled an act to authorize the village Council of Mechanicsburg, Champaign county, Ohio, to levy a tax and issue bonds for building a town-hall, engine-room and jail, and to authorize said Council to issue bonds and levy a tax.

Attest :

L. A. BRUNNER, *Clerk.*

Said bill was read the first time.

Mr. Beebe moved to discharge the committee on Common Schools and School Lands from the consideration of the protest of S. D. Miller and others, against the passage of H. B. No. 90.

Which was agreed to.

Mr. Jackson of Perry offered the following joint resolution :

S. J. R. No. 67: *Resolved by the General Assembly of the State of Ohio* (three-fifths of all the members elected to each House concurring therein), That a proposition to amend the Constitution of the State of Ohio be submitted to the electors of the State, on the second Tuesday of October, A.D. 1879, as follows, to wit : that sections 3 and 5, of article 4, entitled "judicial," be amended so as to be and read as follows :

Section 3. The State shall be divided into nine common pleas districts, of which the county of Hamilton shall constitute one, which districts shall be of compact territory, bounded by county lines, and said districts,

other than said county of Hamilton, shall, without division of counties, be further divided into sub-divisions, in each of which, and in said county of Hamilton, there shall be elected by the electors thereof, respectively, at least one judge of the court of common pleas for the district, and residing therein. Courts of common pleas shall be held by one or more of these judges in every county of the district, as often as may be provided by law, and more than one court or sitting thereof may be held at the same time in each district.

Section 5. In each district, one of the elected common pleas judges shall be designated as judge of the district court therein. He shall hold the district courts in said district, and shall not hold common pleas courts, and shall not, during the term for which he was originally elected, be removed from his said office of district court judge, except for cause, or upon change of the boundaries of his district, and shall, for said services as district court judge, receive such additional compensation as may be provided by law. District courts shall be held in each county at least once every year. The general assembly shall provide for the designation, by appointment or otherwise, of such judge of the district court, and may increase the number of district court judges to three, in any district or districts and may provide for having a judge pro tempore, to hold any court whenever necessary, by reason of the failure, disqualification, absence, or sickness of any judge, and the amount of pay allowed a judge pro tempore may be deducted from the salary of any judge whose default causes the necessity of having the pro tempore judge. The times of holding common pleas and district courts shall be fixed by law, but the general assembly may authorize the judges of said court, respectively, to fix the times of the holding of the said courts. At said election, the voters desiring to vote in favor of this amendment, shall have placed upon their ballots the words, "Judicial constitutional amendment, Yes;" and the voters who do not favor the adoption of said amendment, may have placed upon their ballots the words, "Judicial constitutional amendment, No;" and if a majority of all the votes cast at said election be in favor of said amendment, then said section 3 and 5 herein specified, shall be and constitute the sections so numbered in the said judicial article of the Constitution of the State of Ohio.

Mr. Jackson of Perry moved that the joint resolution be laid on the table and ordered to be printed.

Which was agreed to.

Mr. Beebe, on leave, presented the remonstrance of S. D. Miller and 41 other citizens of Norton, Summit county, against the passage of H. B. No. 374—To create a joint sub-district.

Which was referred to the Committee on Common Schools and School Lands.

Mr. Richards offered the following joint resolution:

S. J. R. No. 68: *Be it resolved by the General Assembly of the State of Ohio,* That there be printed 1500 extra copies of S. J. R. No. 67, for the use of the General Assembly.

The question being on the adoption of the joint resolution, the yeas and nays were taken, and resulted—yeas 15, nays 9, as follow:

Those who voted in the affirmative were—

Messrs. Beebe, Beer, Curtiss, Fisher, Grove, Howland, Jackson of Clinton, Jackson of Perry, Johnston, Kelley, Krimmel, Lord, Richards, Sabine and Tyler—15.

Those who voted in the negative were—

Messrs. Carson, Forrest, Irvine, Joy, McDonald, Seitz, Steedman, Williams and Wilson—9.

So the joint resolution, not having received a constitutional majority, was lost.

On motion of Mr. Saltzgaber, the Senate adjourned.

Attest:

ALLEN O. MYERS, *Clerk*.

SATURDAY, *January* 25, 1879—10 o'clock A.M.

The Senate met pursuant to adjournment.

Prayer by Rev. I. F. King.

The Journal was read and approved.

Bills were read the second time and referred, as follows:

H. B. No. 631—Mr. Cowgill—Supplementary to an act entitled an act to authorize the village Council of Mechanicsburg, Champaign county, Ohio, to levy a tax and issue bonds for building a town-hall, engine-room and jail, and to authorize said Council to issue bonds and levy a tax.

Committee on Municipal Corporations.

S. B. No. 232—Mr. Stokes—To amend section four of an act entitled an act to protect agricultural fairs and fair-grounds, passed April 11, 1856, (Swan & Critchfield, p. 87).

Committee on Agriculture.

S. B. No. 215—Mr. Owens—To amend section sixteen, of chapter nine of an act to amend, revise and consolidate the statutes relating to crimes and offenses, and to repeal certain acts therein named, to be known as title one, crimes and offenses, part four of an act to revise and consolidate the general statutes of Ohio, passed May 5, 1877, (O. L., Vol. 74, p. 282)—was read the third time.

Mr. Saltzgaber moved to refer the bill to a select committee of one, with instructions to amend as follows:

Strike out of line 11 the words "fifteen" and "three," respectively, and insert in lieu thereof the words "ten" and "one."

On which motion the yeas and nays were demanded, taken, and resulted—yeas 12, nays 17, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Carson, Curtiss, Forrest, Jackson of Clinton, Johnston, Joy, Kelley, Saltzgaber, Steedman, Stokes and Wagener—12.

Those who voted in the negative were—

Messrs. Beebe, Beer, Benson, Fisher, Howland, Irvine, Jackson of Perry, Krimmel, Marsh, McDonald, Owens, Parker, Richards, Sabine, Seitz, Tyler and Williams—17.

So the motion was disagreed to.

Mr. Owens moved that the bill be laid on the table.

Which was agreed to.

Mr. Johnston, on leave, introduced the following bill, which was read the first time:

S. B. No. 233—To establish Circuit Courts, and to prescribe the powers and duties thereof.

Mr. Lord presented the petition of Robt. Barlbolow and 2000 other

citizens of Hamilton and other counties, praying the passage of S. B. No. 198.

Which was referred to the special committee on S. B. No. 198.

Mr. Benson, on leave, introduced the following bill, which was read the first time :

S. B. No. 234—An act authorizing Probate and Police Judges to sentence girls between the ages of eight and sixteen years, convicted of misdemeanors punishable by confinement in county jails or work-house, to the custody and control of the officers of certain institutions.

Mr. Richards submitted the following report :

The committee on Municipal Corporations, to whom was referred H. B. No. 617—To authorize the Council of the village of East Liverpool, Columbiana county, to issue bonds for the construction of water-works—having had the same under consideration, report it back without recommendation.

THEO. MARSH, LYMAN J. JACKSON,
G. M. SALTZGABER, R. G. RICHARDS.

The bill was ordered to be engrossed and read the third time on Tuesday next.

Mr. Jackson of Perry submitted the following report :

The committee on Military Affairs, to whom was referred H. J. R. No. 60, having had the same under consideration, report it back, with the following substitute, and recommend its adoption when so amended :

WHEREAS, Thomas S. Hart, of Richland county, Ohio, served as a private soldier during the war of the Rebellion, in Company "I", 15th Regt., O. V. I., by the name of Thomas Porter, and under the belief that such was his true name ; and

WHEREAS, It was afterwards discovered that such was not his true name, but that his true name was Thomas S. Hart ; and

WHEREAS, He desires the rolls and records of his services to be corrected, so as to show his true name ; therefore,

Be it resolved by the General Assembly of the State of Ohio, That the Adjutant-general of said State cause to be made the proper correction of said name upon said rolls and records in his office, and that he certify the same to the Adjutant-general of the United States, that the rolls and records in the office of the War Department at Washington may be correspondingly corrected.

G. M. SALTZGABER, THOS. S. JACKSON,
LYMAN J. JACKSON, D. JOY.
GEO. P. TYLER,

The report was agreed to.

The question being on the adoption of the joint resolution as amended, the yeas and nays were taken, and resulted—yeas 29, nays none, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Curtiss, Fisher, Forrest, Howland, Irvine, Jackson of Clinton, Jackson of Perry, Johnston, Joy, Kelley, Krimmel, Lord, Marsh, McDonald, Owens, Richards, Sabine, Saltzgaber, Seitz, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—29.

So the resolution was adopted.

Mr. Krimmel moved that the vote whereby H. B. No. 349 was indefinitely postponed be reconsidered.

On which motion the yeas and nays were taken, and resulted—yeas 12 nays 16, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Benson, Dungan, Carson, Forrest, Jackson of Perry, Joy, Krimmel, Seitz, Steedman, Stokes, Tyler, Wagener and Williams—12.

Those who voted in the negative were—

Messrs. Beebe, Beer, Curtiss, Fisher, Howland, Irvine, Jackson of Clinton, Johnston, Kelley, Lord, Owens, Parker, Richards, Sabine, Saltzgaber and Wilson—16.

So the motion was disagreed to.

Mr. Howland, on leave, introduced the following bill, which was read the first time :

S. B. No. 235—To regulate contracts of insurance of buildings and structures.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The House of Representatives has appointed Messrs. Bloom, Booth and Hitchcock a Conference committee on part of the House, to consider the differences existing between the two Houses on House Substitute for S. J. R. No. 64, by Mr. Forrest.

Attest :

L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The House of Representatives has concurred in Senate amendment to H. B. No. 609—Mr. Alexander—Making partial appropriations for the fiscal year ending November 15, A.D. 1879, for the several public institutions therein named.

Attest :

L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The House of Representatives has concurred in the passage of the following bill :

S. B. No. 192—Mr. Howland—To amend section twenty-four of an act entitled an act for the relief of the poor and to repeal certain acts therein named, (Vol. 73, p. 233)—with the following amendment, in which the concurrence of the Senate is requested :

Add to section 1, at the end of line 13: "Provided, that the directors of the infirmary may order the discharge of any inmate thereof".

Attest :

L. A. BRUNNER, *Clerk.*

The question being on agreeing to said House amendment, the yeas and nays were taken, and resulted—yeas 30, nays none, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Benson, Carson, Curtiss, Dungan, Fisher, Forrest, Howland, Irvine, Jackson of Clinton, Jackson of Perry, Joy, Kelley, Krimmel, Lord, Marsh, McDonald, Owens, Parker, Richards, Sabine, Saltzgaber, Seitz, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—30.

So the House amendment was agreed to.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The following bills have been introduced in the House of Representatives, and read the first time:

H. B. No. 686—Mr. Haley—Relating to surveys authorized by the Congress of the United States, in the State of Ohio.

H. B. No. 687—Mr. Sullivan of Miami—To amend section eight of an act entitled an act for the protection of wool-growers and the confiscation of dogs, passed May 5, 1877, (Vol. 74, p. 177).

H. B. No. 688—Mr. Sullivan of Hamilton—To amend the act of April 11, 1876, entitled an act regarding the maintenance and repair of streets, alleys etc., in cities of the first class having a population of more than one hundred and fifty thousand inhabitants at the last federal census, (Vol. 73, O. L., p. 212.)

H. B. No. 689—Mr. Van Cleaf—To authorize the sale of the tobacco warehouse at Bellaire, and repeal an act therein named.

Attest:

L. A. BRUNNER, *Clerk.*

Mr. Dungan submitted the following report:

The joint committee on Enrollment have examined, and found correctly enrolled, the following bill:

H. B. No. 609—An act making partial appropriations for the fiscal year ending November 15, 1879, for the several public institutions therein named.

IRVINE DUNGAN,	C. F. KRIMMEL,
J. W. WASHBURN,	WM. JESSUP,
A. D. MARSH,	DUNCAN DOW,
R. G. RICHARDS,	C. R. HARMON,
J. R. JOHNSTON,	F. M. CARTER.

Mr. Dungan submitted the following report:

The joint committee on Enrollment have examined, and found correctly enrolled, the following bill:

H. B. No. 595 Making partial appropriations for the fiscal year 1879.

J. W. WASHBURN,	A. D. MARSH,
WM. JESSUP,	F. M. CARTER,
DUNCAN DOW,	C. R. HARMON,
R. G. RICHARDS,	IRVINE DUNGAN,
C. F. KRIMMEL,	J. R. JOHNSTON.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The Speaker of the House of Representatives has, in the presence of the House, signed the following bills.

H. B. No. 595—Mr. Alexander—Making partial appropriations for the fiscal year ending November 15, 1879.

H. B. No. 609—Mr. Alexander Making partial appropriations for the fiscal year ending November 15, 1879, for the several public institutions therein named.

Attest:

L. A. BRUNNER, *Clerk.*

The President *pro. tem.*, in presence of the Senate, signed said bills.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The House of Representatives has passed the following bills, in which the concurrence of the Senate is requested :

H. B. No. 606—Mr. Sawyer—For the relief of Elizabeth Dickel.

H. B. No. 607—Mr. Sawyer For the relief of Matilda Koenig.

Attest :

L. A. BRUNNER, *Clerk.*

Said bills was read the first time.

On motion of Mr. Joy, the Senate took a recess.

THREE O'CLOCK P.M.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The House of Representatives has refused to concur in Senate amendments to—

H. B. No. 4—Mr. Bohl—To amend section twenty-three, chapter one, division five of an act to revise and consolidate the laws relating to civil procedure in Courts of Common Pleas and Superior Courts, in District Courts on appeal, and also the laws relating to procedure in error, mandamus and quo warranto, (O. L., Vol. 75, p. 684).

Attest :

L. A. BRUNNER, *Clerk.*

Mr. Steedman moved that the Senate adhere to its amendment to said bill.

Which was agreed to.

Mr. Richards moved that the vote whereby the Senate adhered to its amendment to said bill be reconsidered.

Which was disagreed to.

Mr. Jackson of Perry moved that S. J. R. No. 67 be taken from the table.

Which was agreed to.

On motion of Mr. Jackson of Perry, said joint resolution was referred to the committee on the Judiciary.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The House of Representatives has passed the following bills, in which the concurrence of the Senate is requested :

H. B. No. 613—Mr. Wolf—To authorize the Council of the incorporated village of Logan, Ohio, to transfer one thousand dollars from the sanitary and street fund of said village to the general expense fund.

H. B. No. 591—Mr. Herrick To authorize the village Council of the incorporated village of Elyria, Lorain county, Ohio, and the township Trustees of Elyria township, Lorain county, Ohio, to make a loan to complete repairs to the town-hall.

Attest :

L. A. BRUNNER, *Clerk.*

Said bills were read the first time.

On motion of Mr. Lord, the Senate adjourned.

Attest :

ALLEN O. MYERS, *Clerk.*

MONDAY, *January* 27, 1879—10 o'clock A.M.

The Senate met pursuant to adjournment.

Prayer by Rev. Wm. E. Moore.

The Journal was read and approved.

Bills were read the second time and referred, as follows:

H. B. No. 591—Mr. Herrick—To authorize the village Council of the incorporated village of Elyria, Lorain county, Ohio, and the township Trustees of Elyria township, Lorain county, Ohio, to make a loan to complete repairs to the town-hall.

Committee on Municipal Corporations.

H. B. No. 606—Mr. Sawyer—For the relief of Elizabeth Diekel.

Committee on Claims.

H. B. No. 607—Mr. Sawyer—For the relief of Matilda Kœnig.

Committee on Claims.

H. B. No. 613—Mr. Wolf—To authorize the Council of the incorporated village of Logan, Ohio, to transfer one thousand dollars from the sanitary and street fund of said village to the general expense fund.

Committee on Municipal Corporations.

S. B. No. 233—Mr. Johnston—To establish Circuit Courts, and prescribe the powers and duties thereof.

Committee on the Judiciary.

S. B. No. 234—Mr. Benson—Authorizing Probate and Police Judges to sentence girls between the ages of eight and sixteen years, convicted of misdemeanors punishable by confinement in the county jail or work-house, to the custody and control of the officers of certain institutions.

Committee on Reform School and Industrial School for Girls.

S. B. No. 235—Mr. Howland—To regulate contracts of insurance of buildings and structures.

Committee on the Judiciary.

The following bills were introduced, on leave, and read the first time:

S. B. No. 236—Mr. Richards—To amend section eleven, of chapter one, division eight of an act entitled an act to amend, revise and consolidate the statutes relating to municipal corporations, to be known as title twelve, part one of the act to revise and consolidate the general statutes of Ohio.

S. B. No. 237—Mr. Beer—To amend section fourteen, of chapter three, of division four of the act relating to municipal corporations, (O. L., Vol. 75, p. 308).

S. B. No. 238—Mr. Irvine—To amend section twelve, of chapter two, of title thirteen of an act entitled an act to amend and revise the statutes relating to taxation, to be known as title thirteen, part one of the act to revise and consolidate the general statutes, (Vol. 75, p. 446).

S. B. No. 239—Mr. Krimmel—To authorize the arbitration of certain claims against the State.

Mr. Fisher submitted the following report:

The committee on Revision has examined, and found correctly engrossed, Substitute for House Joint Resolution No. 60, by Mr. Bloom.

G. W. WILSON,

G. M. SALTZGABER,

J. C. FISHER.

Mr. Richards submitted the following report:

The joint committee on Enrollment have examined, and found correctly enrolled, the following bill:

S. B. No. 192—To amend section twenty-four of an act entitled an act for the relief of the poor, and to repeal certain acts therein named, (Vol. 73, 233, Laws 1876).

R. G. RICHARDS,	J. R. JOHNSTON,
J. W. WASHBURN,	A. D. MARSH,
WM. JESSUP,	C. R. HARMON.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The following bill has been introduced in the House of Representatives, and read the first time :

H. B. No. 691—Mr. Swaim—To amend section three of an act entitled an act to regulate the payment of certain costs in criminal cases, passed March 16, 1878.

Attest :

L. A. BRUNNER, *Clerk.*

On motion of Mr. Benson, the Senate took a recess.

THREE O'CLOCK P.M.

The following bills were introduced, on leave, and read the first time :

S. B. No. 240—Mr. Jackson of Perry—To amend an act passed February 24, 1876, entitled an act to amend sections three and four of an act entitled an act to provide for the election and qualification of the Clerk of the Supreme Court of Ohio, and prescribing the duties and fixing the compensation of such clerk, passed March 29, 1865, (73, Vol. 12).

S. B. No. 241—Mr. Tyler—To amend section six, chapter five title two of an act entitled an act to amend, revise and consolidate the statutes relating to criminal procedure.

Mr. Richards submitted the following report :

The joint committee on Enrollment have examined, and found correctly enrolled, the following bills and joint resolution :

H. B. No. 155—An act to authorize the Council of the village of Middletown, Butler county, Ohio, to make a contract with the Middletown Gas Company for lighting streets, alleys and public buildings, for a period not to exceed ten years, and to levy taxes to pay the cost as it becomes due by the terms of said contract.

H. B. No. 559—An act to authorize the Commissioners of Lucas county to replank a certain road therein named.

H. B. No. 520—An act for the relief of Henry B. Bennett.

H. J. R. No. 67—As to the printing of seven thousand copies of the second annual report of the Commissioner of the Bureau of Labor Statistics.

R. G. RICHARDS,	J. R. JOHNSTON,
J. W. WASHBURN,	WM. JESSUP,
E. S. PERKINS,	C. R. HARMON,
A. D. MARSH,	C. F. KRIMMEL.

The President *pro tem.* laid before the Senate the following communication from the clerk :

To the Senate:

COLUMBUS, O., *January 27, 1879.*

Mr. President and Senators:

GENTLEMEN: I wish to call your attention to the insecure arrangement the Clerk is compelled to use to guard important bills and documents committed to his custody. Last winter, S. B. No. 94, to reorganize the Imbecile Asylum, was stolen from the Clerk's desk. This style of legislating may be repeated; and as I am responsible to the Senate, I feel that the means ought to be placed at my disposal by which I can protect myself and the Senate. I am, gentlemen,

Your obedient servant,

ALLEN O. MYERS, *Clerk.*

On motion of Mr. Fisher, said communication was referred to the committee on Claims.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has concurred in the adoption of—
Senate Substitute for H. J. R. No. 60—Mr. Bloom—As to the correction of the Adjutant-general's records and rolls in regard to the name of Thomas S. Hart.

Attest:

L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The Speaker of the House of Representatives has, in the presence of the House, signed the following bill:

S. B. No. 192—Mr. Howland—To amend section twenty-four of an act entitled an act for the relief of the poor, and to repeal certain acts therein named, (Vol. 73, p. 233).

Attest:

L. A. BRUNNER, *Clerk.*

The President *pro tem.*, in presence of the Senate, signed said bill.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The following bills have been introduced in the House of Representatives, and read the first time:

H. B. No. 692—Mr. Haley—To authorize the Council of the incorporated village of Kenton, Hardin county, to issue bonds.

H. B. No. 693—Mr. Van Cleaf—To amend section five of an act entitled an act to amend sections seven, eight, nine and ten of an act, passed April 12, 1858, entitled an act to relieve District Courts, and to give greater efficiency to the judicial system of the State, passed April 6, 1859, as amended April 2, 1870, (Vol. 67, p. 29.)

H. B. No. 694—Mr. Foster—To authorize the County Commissioners of Cuyahoga county, to purchase a farm outside the corporate limits of Cleveland, and build an infirmary thereon and issue bonds.

H. B. No. 695—Mr. Dawson—To aid in the construction of narrow gauge railways in the State of Ohio.

H. B. No. 696—Mr. Williams—To amend section one of an act entitled an act to protect the citizens of Ohio from empiricism, and elevate the standing of the medical profession, passed May 5, 1868.

H. B. No. 697—Mr. Crosson—To authorize the Commissioners of Clermont county, Ohio, to borrow an amount of money upon bonds of said county, not exceeding the amount of fifteen thousand dollars.

Attest:

L. A. BRUNNER, *Clerk*.

Mr. Armstrong submitted the following report:

The committee on Claims, to whom was referred H. B. No. 606—For the relief of Elizabeth Diekel having had the same under consideration, report it back, and recommend its passage.

J. M. ARMSTRONG,	J. C. McDONALD,
G. A. GROVE,	D. D. BEEBE,
J. B. WILLIAMS,	C. S. PARKER.

Said bill was ordered to be engrossed and read the third time to-morrow.

Mr. Armstrong submitted the following report:

The committee on Claims, to whom was referred H. B. No. 607—For the relief of Matilda Koenig—having had the same under consideration, report it back, and recommend its passage.

J. M. ARMSTRONG,	G. A. GROVE,
J. B. WILLIAMS,	J. C. McDONALD,
D. D. BEEBE,	C. S. PARKER.

Said bill was ordered to be engrossed and read the third time to-morrow.

Mr. Johnston moved that the committee on Fees and Salaries be discharged from the consideration of S. B. No. 199.

Which was agreed to.

On motion of Mr. Johnston, said bill was referred to the committee on the Judiciary.

On motion of Mr. Richards, the Senate adjourned.

Attest:

ALLEN O. MYERS, *Clerk*.

TUESDAY, *January* 28, 1879—10 o'clock A.M.

The Senate met pursuant to adjournment.

Prayer by Rev. Wm. E. Moore.

The Journal was read and approved.

Bills were read the second time and referred, as follows:

S. B. No. 236—Mr. Richards—To amend section eleven, of chapter one, division eight of an act entitled an act to amend, revise and consolidate the statutes relating to municipal corporations, to be known as title twelve, part one of the act to revise and consolidate the general statutes of Ohio.

Committee on the Judiciary.

S. B. No. 237—Mr. Beer—To amend section fourteen, of chapter three, of division four of the act relating to municipal corporations, (75, O. L., 308.)

Committee on Municipal Corporations.

S. B. No. 238—Mr. Irvine—To amend section twelve, of chapter two, of title thirteen of an act entitled an act to amend and revise the statutes relating to taxation, to be known as title thirteen, part one of the act to revise and consolidate the general statutes, (75, O. L., 446).

Committee on Insurance.

S. B. No. 239—Mr. Krimmel—To authorize the arbitration of certain claims against the State.

Committee on Claims.

S. B. No. 240 Mr. Jackson of Perry—To amend an act passed February 24, 1876, entitled an act to amend sections three and four of an act entitled an act to provide for the election and qualification of the Clerk of the Supreme Court of Ohio, and prescribing the duties and fixing the compensation of such clerk, passed March 29, 1865, (73, Vol. 12.)

Committee on the Judiciary.

S. B. No. 241—Mr. Tyler—To amend section six, chapter five, title two of an act entitled an act to amend, revise and consolidate the statutes relating to criminal procedure.

Committee on the Judiciary.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The Speaker of the House of Representatives has, in the presence of the House, signed the following bills and joint resolution:

H. B. No. 559—Mr. Kellogg—To authorize the Commissioners of Lucas county to replank a certain road therein named.

H. B. No. 155—Mr. Clough—To authorize the Council of the village of Middletown, Butler county, Ohio, to make a contract with the Middletown Gas Company, for lighting streets, alleys and public buildings, for a period not to exceed ten years, and to levy taxes to pay the cost as it becomes due by the terms of said contract.

H. B. No. 520—Mr. Marsh—For the relief of Henry B. Bennett.

H. J. R. No. 67—Mr. Sawyer—As to the printing of seven thousand copies of the second annual report of the Commissioner of the Bureau of Labor Statistics.

Attest:

L. A. BRUNNER, *Clerk.*

The President, in presence of the Senate, signed said bills and joint resolution.

H. B. No. 606—Mr. Sawyer—For the relief of Elizabeth Diekel—was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 21, nays none, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Curtiss, Fisher, Forrest, Grove, Howland, Jackson of Clinton, Johnston, Joy, Kelley, Krimmel, Lord, McDonald, Seitz, Stokes, Tyler, Williams and Wilson—21.

So the bill passed. The title was agreed to.

H. B. No. 607—Mr. Sawyer—For the relief of Matilda Koenig—was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 21, nays none, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Curtiss, Fisher, Forrest, Grove, Howland, Jackson of Clinton, Joy, Kelley, Krimmel, Lord, McDonald, Seitz, Steedman, Stokes, Tyler, Wagener and Williams—21.

So the bill passed. The title was agreed to.

H. B. No. 617 Mr. Boyce To authorize the Council of the village of East Liverpool, Columbiana county, to issue bonds for the construction of water-works—was read the third time.

The question being "Shall the bill pass?"—

Mr. Richards moved that said bill be referred to the committee on the Judiciary,

Which was agreed to.

The following bills were introduced, on leave, and read the first time :

S. B. No. 242—Mr. Curtiss—To authorize the City Council of the city of Cleveland to levy a tax for building an armory, and to transfer funds therein named temporarily to an armory fund.

S. B. No. 243—Mr. Owens To define and suppress tramps.

S. B. No. 244—Mr. Forrest—To amend sections three and seven, of chapter five, of division five of an act to amend, revise and consolidate the statutes relating to municipal corporations, to be known as title twelve, part one of the act to revise and consolidate the general statutes of Ohio, passed May, 1878, (75, O. L., pp. 238—239).

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The House of Representatives has passed the following bill, in which the concurrence of the Senate is requested :

H. B. No. 477 Mr. Hume—To authorize the sale of certain lands therein named.

Attest :

L. A. BRUNNER, *Clerk.*

Said bill was read the first time.

Mr. Beer submitted the following report :

The committee on Railroads, Telegraphs and Turnpikes, to whom was referred S. B. No. 214—To amend section two of an act entitled an act to authorize the Commissioners of Brown county, Ohio, to construct a free turnpike road from the terminus of the Ripley and Hillsborough free turnpike road to the Highland county line, and to construct a free turnpike from the terminus of the Arnheim free turnpike road via Sardenia to the Highland county line ; also from the terminus of the Mt. Oreb and Benton free turnpike road via Greenbush to the terminus of the Fayetteville and Chestertown free turnpike road, passed April 17, 1878, (O. L., Vol. 75, p. 1122)—having had the same under consideration, report it back, with the following amendment, and recommend its passage when so amended:

In line 12, between the words "may" and "require," insert: "under the supervision of the engineer".

GEO. P. TYLER, H. C. LORD,
J. C. FISHER, D. Joy.

Said amendment was agreed to, and the bill was ordered to be engrossed and read the third time to-morrow.

Mr. Joy submitted the following report :

The committee on Railroads, Telegraphs and Turnpikes, to whom was referred H. B. No. 549—For the punishment of persons throwing or shooting at railroad trains—having had the same under consideration, report it back, and recommend its passage.

D. JOY, J. C. FISHER,
GEO. P. TYLER, H. C. LORD.
THOS. M. BEER,

Said bill was ordered to be engrossed and read the third time to-morrow.

Mr. Fisher submitted the following report :

The committee on Railroads, Telegraphs and Turnpikes, to whom was referred S. B. No. 228—To amend section one of an act entitled an act to amend sections one and four of an act entitled an act to provide for the repair of free turnpike roads in certain counties, and to authorize the County Commissioners of any county in this State to constitute a board of directors, to regulate the hauling of heavy burdens on any free turnpike or improved road, passed and took effect April 20, 1874, passed March 17, 1875, (O. L., Vol. 72, p. 59), passed April 3, 1876, (O. L., Vol. 73, p. 151), passed May 2, 1877, (O. L., Vol. 74, p. 153)—having had the same under consideration, report it back, and recommend its passage.

J. C. FISHER, THOS. M. BEER,
GEO. P. TYLER, H. C. LORD.
D. JOY,

Said bill was ordered to be engrossed and read the third time now, and was then read.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 21, nays none, as follow :

Those who voted in the affirmative were—

Messrs. Beebe, Beer, Benson, Curtiss, Fisher, Forrest, Grove, Howland, Jackson of Clinton, Johnston, Joy, Krimmel, Lord, McDonald, Richards, Sabine, Seitz, Steedman, Stokes, Tyler and Williams—21.

So the bill passed. The title was agreed to.

Mr. Tyler submitted the following report :

The committee on Corporations other than Municipal, to whom was referred H. B. No. 568—To authorize the Trustees of Wayne township, Warren county, Ohio, to lease a portion of the township-house in Waynesville—having had the same under consideration, report it back, and recommend its passage.

GEO. P. TYLER, J. M. ARMSTRONG,
J. R. JOHNSTON, R. G. RICHARDS.

Said bill was ordered to be engrossed and read the third time to-morrow.

Mr. Forrest submitted the following report :

The standing committee on Currency, to whom was referred H. B. No. 341)—To amend section seven of an act entitled an act to incorporate Savings Societies, passed and took effect April 16, 1867, (O. L., Vol. 64, p. 184)—having had the same under consideration, report it back, and recommend its indefinite postponement.

JAMES B. STEEDMAN, J. C. McDONALD,
W. T. FORREST, D. D. BEEBE.
LINDSEY KELLEY,

Mr. Beer moved that the report be laid on the table.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 7, nays 15, as follow :

Those who voted in the affirmative were—

Messrs. Beer, Curtiss, Howland, Jackson of Clinton, Johnston, Kelley and Sabine—7.

Those who voted in the negative were—

Messrs. Armstrong, Benson, Fisher, Forrest, Grove, Joy, Krimmel, Lord, McDonald, Owens, Seitz, Steedman, Stokes, Tyler and Williams—15.

So the motion was disagreed to.

The question recurring on agreeing to the report of the committee—

The same was agreed to.

Mr. Williams submitted the following report :

The standing committee on Sanitary Laws and Regulations, to whom was referred H. B. No. 524—To authorize the incorporation of associations for the purpose of the reclamation of both men and women from lives of intemperance and immorality—having had the same under consideration, report it back, and recommend its passage.

J. B. WILLIAMS, J. M. ARMSTRONG,
WM. H. STOKES, D. D. BEEBE.

Said bill was ordered to be engrossed and read the third time to-morrow.

Mr. Johnston submitted the following report :

The joint committee on Enrollment have examined, and found correctly enrolled, the following bill :

S. B. No. 162—Supplementary to an act entitled an act to authorize the Commissioners of Hamilton county to levy a tax for further improving the course of Mill Creek, passed May 1, 1873, (O. L., Vol. 70, p. 377).

J. R. JOHNSTON, F. M. CARTER,
R. G. RICHARDS, E. S. PERKINS,
C. F. KRIMMEL, J. W. WASHBURN.
WM. JESSUP,

Mr. Johnston offered the following joint resolution :

S. J. R. No. 69—Providing for the printing and binding of additional copies of the Secretary of State's report, for distribution among the members :

Resolved by the General Assembly of the State of Ohio, That there be printed and bound in muslin, in the usual manner, twenty thousand copies of the Secretary of State's report for the year 1878, for the use of, and to be equally distributed to the members of the present General Assembly. To determine what number of such reports are to be printed in German, it shall be the duty of the Secretary of State to ascertain from each member of this General Assembly what number of the copies he is entitled to receive, he wishes in the German language. The aggregate number so determined shall be the number authorized to be printed in German, and they shall be distributed accordingly, and in the manner that each member may indicate to the Secretary of State: provided, that in the printing of the copies herein provided for, there shall be no charge for composition.

On motion of Mr. Johnston, said joint resolution was referred to the committee on Printing.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The Speaker of the House of Representatives has, in the presence of the House, signed the following bill :

S. B. No. 162—Mr. Lord—Supplementary to an act entitled an act to authorize the Commissioners of Hamilton county to levy a tax for further improving the course of Mill Creek, passed May 1, 1873, (O. L., Vol. 70, p. 377).

Attest:

L. A. BRUNNER, *Clerk.*

The President, in presence of the Senate, signed said bill.

On motion of Mr. Owens, the Senate took a recess.

THREE O'CLOCK P.M.

Mr. Marsh submitted the following report :

The standing committee on Municipal Corporations, to whom was referred H. B. No. 591—To authorize the village Council of the incorporated village of Elyria, Lorain county, Ohio, and the township Trustees of Elyria township, Lorain county, Ohio, to make a loan to complete repairs to the town-hall—having had the same under consideration, report it back, and recommend its passage.

THEO. MARSH, JAMES B. STEEDMAN,
R. G. RICHARDS, G. A. GROVE.

Said bill was ordered to be engrossed and read the third time now, and was then read.

The question being "Shall the bill pass?" —

M. Beer moved that said bill be referred to the committee on Judiciary. Which was agreed to.

Mr. Carson submitted the following report:

The standing committee on Finance, to whom was referred S. B. No. 210—Providing for increasing the levy for poor purposes in certain townships—having had the same under consideration, report it back, and recommend its passage.

J. M. CARSON, J. SHERRICK,
THOS. M. BEER, H. W. CURTISS.

Said bill was ordered to be engrossed and read the third time to-morrow.

Mr. Armstrong submitted the following report :

The standing committee on Soldiers' and Sailors' Orphans' Home, to whom was referred S. B. No. 193 To amend an act passed May 13, 1878, entitled an act for the reorganization and better management of the Soldiers' and Sailors' Orphans' Home, located at Xenia, and to repeal certain sections therein named—having had the same under consideration, report it back, with the following amendment, and recommend its passage when so amended :

Strike out in line 10, after the word "aforesaid", all that follows, to and including the word "aforesaid", in lines 12 and 13.

J. M. ARMSTRONG, J. B. WILLIAMS,
C. F. KRIMMEL, JOHN SEITZ.
WM. H. STOKES,

The question being on agreeing to the report of the committee, the yeas and nays were demanded, taken, and resulted—yeas 12, nays 17, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Fisher, Forrest, Grove, Krimmel, Marsh, McDonald, Parker, Seitz, Sherrick, Stokes and Williams—12.

Those who voted in the negative were—

Messrs. Beebe, Beer, Benson, Carson, Curtiss, Howland, Jackson of Clinton, Johnston, Joy, Kelley, Lord, Owens, Richards, Sabine, Steedman, Tyler and Wagener—17.

So the report was disagreed to.

The bill was ordered to be engrossed and read the third time to-morrow.

Mr. Johnston submitted the following report :

The joint committee on Enrollment have examined, and found correctly enrolled, the following bills and joint resolution :

Substitute for H. J. R. No. 60—As to the correction of Adjutant-general's records and rolls in regard to name of Thomas S. Hart.

H. B. No. 607 For the relief of Matilda Kœnig.

H. B. No. 606—For the relief of Elizabeth Diekel.

J. W. WASHBURN,	C. R. HARMON,
F. M. CARTER,	R. G. RICHARDS,
WM. JESSUP,	C. F. KRIMMEL,
E. S. PERKINS,	J. R. JOHNSTON.
DUNCAN DOW,	

Mr. Benson offered the following joint resolution :

S. J. R. No. 70—Providing for the distribution of the fifth volume of the final report of the Geological Corps of Ohio :

Be it resolved by the General Assembly of the State of Ohio, That the twenty thousand copies of the fifth volume of the final report of the Geological Corps of Ohio, the printing and binding of which was authorized by Senate Joint Resolution No. 31, adopted April 24, 1878, (O. L., Vol. 75, p. 1193), be distributed as follows: two hundred and fifty copies for the Geological Corps; two hundred and fifty copies for the Geological Board; five hundred copies for the State Library; one hundred and fifteen copies each to the members of the present General Assembly, including the Lieutenant-Governor, and the balance to be delivered to the Secretary of State. The Secretary of State is hereby directed to box and ship to the members of the General Assembly the copies to which they are entitled under this resolution, and pay the cost of shipment out of the appropriation for the distribution of the Laws and Journals.

Resolved, That so much of said Senate Joint Resolution No. 31, as conflicts with the foregoing, be and the same is hereby rescinded.

On motion of Mr. Benson, said joint resolution was referred to the committee on Geological Survey.

Mr. Sherrick submitted the following report :

The standing committee on Finance, to whom was referred S. B. No. 227—To amend section one, of chapter one, and section one, of chapter two of an act entitled an act to amend and revise the statutes relating to taxation, to be known as title thirteen, part one of the act to revise and consolidate the general statutes, (O. L., Vol. 75, p. 436)—having had the same under consideration, report it back, with the following amendments, and recommend its passage when so amended :

In line 11, section 2, after the word "between," and the word "the", insert the words "the parties".

J. SHERRICK, H. C. LORD,
H. W. CURTISS, J. M. CARSON.
THOS. M. BEER,

Said amendment was agreed to, and the bill was ordered to be engrossed and read the third time to-morrow.

Mr. Forrest submitted the following report:

The standing committee on Judiciary, to whom was referred S. B. No. 199—To amend an act entitled an act to fix the salaries of certain State officers, and to repeal a certain act therein named, (S. & S., p. 695)—having had the same under consideration, report it back, with following amendment, and recommend its passage when so amended:

To strike out all after the word "office," on line 12, to the word "all" on line 14, the part stricken out reading as follows: "the members of the Board of Public Works, each eight hundred dollars, and no more, in the form of traveling expenses or otherwise."

W. T. FORREST, J. R. JOHNSTON,
W. P. HOWLAND, D. WAGENER.

Said amendment was agreed to, and the bill was ordered to be engrossed and read the third time to-morrow.

Mr. Forrest submitted the following report:

The standing committee on Judiciary, to whom was referred S. B. No. 235—To regulate contracts of insurance of buildings and structures—having had the same under consideration, report it back, with the following amendments, and recommend its passage when so amended:

Add after the word "absence," on line 6, of section 1, the words: "of any change increasing the risk, without the consent of the insurer or insurers or."

Add after the word "him," on line 3, of section 2, the words: "anything in the application or policy to the contrary notwithstanding."

W. T. FORREST, J. R. JOHNSTON,
W. P. HOWLAND, D. WAGENER.

Said amendments were agreed to, and the bill was ordered to be engrossed and read the third time to-morrow.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The following bills have been introduced in the House of Representatives, and read the first time:

H. B. No. 698—Mr. Baker—To authorize the conveyance of a certain lot, heretofore dedicated for cemetery purposes, to the city of Lima, Allen county, to be used as a public park, and to repeal an act therein named.

H. B. No. 699—Mr. Bohl—To amend section twenty-three, of chapter one, division five of an act to revise and consolidate the laws relating to civil procedure in Courts of Common Pleas and Superior Courts, in District Courts on appeal, and also the laws relating to procedure in error, mandamus and quo warranto, (Vol. 75, p. 684).

H. B. No. 700—Mr. Conkright—To authorize the town Council of the incorporated village of Richwood, Union county, Ohio, to transfer certain funds therein named.

H. B. No. 701—Mr. Levering—To amend section two of an act to amend sections two and thirteen of an act relating to ditches, passed April 12, 1871, (Vol. 68, p. 60), as amended March 28, 1873, (Vol. 70, p. 79), (Vol. 73, pp. 181-182), passed and took effect April 11, 1876.

H. B. No. 702—Mr. Williamson—To authorize the town Council of the incorporated village of New London, Huron county, Ohio, to levy a tax for the purpose of purchasing a town clock.

H. B. No. 703—Mr. Hitchcock—To regulate the compensation and fees of attorneys-at-law.

H. B. No. 704—Mr. Foster—Relating to Civil Courts in cities of the first class.

H. B. No. 705—Mr. Dawson—To authorize the Commissioners of Highland county to locate and construct turnpike roads.

H. B. No. 706—Mr. Townsend—Supplementary to an act entitled an act for the reorganization and maintenance of common schools, passed May 1, 1873, (S. & S., p. 3028), and to extend the time for lessees of section No. 16 to comply with sections 143 and 144 of said act, who have complied with all provisions of said act, except said sections.

H. B. No. 707—Mr. Smith—To authorize the Commissioners of Washington county to levy a special tax for purposes therein named.

H. B. No. 708—Mr. Sturgeon—Supplemental to sections one and two, of chapter four of an act passed May 11, 1878, entitled an act to amend and revise the statutes relating to taxation, to be known as title thirteen, part one of the act to revise and consolidate the general statutes.

H. B. No. 709—Mr. Klimper—To amend sections nine and ten, of chapter three of an act entitled an act to amend and revise the statutes relating to taxation, to be known as title thirteen, part one of the act to revise and consolidate the general statutes of Ohio, passed May 1, 1878, (Vol. 75, p. 463).

H. B. No. 710—Mr. Eylar—Supplementary to an act entitled an act for the reorganization and maintenance of common schools, passed May 1, 1873, and revised May, 1875.

H. B. No. 711—Mr. Poe—To authorize the transfer of certain funds in the township of Bedford, Cuyahoga county, to other funds in said township.

H. B. No. 712—Mr. Foster—To regulate the practice of medicine in the State of Ohio.

H. B. No. 713—Mr. Swaim—To provide for the examination of the moneys and accounts of township, village and school district treasurers.

Attest :

L. A. BRUNNER, *Clerk*.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The House of Representatives has passed the following bills, in which the concurrence of the Senate is requested :

H. B. No. 603—Mr. Alexander—To amend section seven of an act entitled an act to define the powers and prescribe the duties of the Board of Commissioners of the sinking fund.

H. B. No. 614—Mr. Turner—Supplementary to an act to amend, revise and consolidate the statutes relating to municipal corporations, to be

known as title twelve, part one of the act to revise and consolidate the general statutes of Ohio, passed May 11, 1878, (O. L., 75, p. 314).

Attest:

L. A. BRUNNER, *Clerk*.

Said bills were read the first time.

Mr. Sherrick, on leave, presented the petition of John Danner and 283 other citizens of Stark county, praying that your Honorable Body will repeal the present law as found in O. L., Vol. 72, p. 107, and amend paragraph 5, of section 199, as therein found, so that it will read as follows:

'5'. To regulate, *restrain*, and *prohibit*, Ale, Beer and Porter-houses and shops; and *houses and places of notorious and habitual resort for tippling or intemperance*.

Also, to make the present damage law in reference to the illegal sale of Liquor more stringent, and to provide for the search, seizure and confiscation of all Alcoholic drinks found in the possession of any person guilty of illegal selling.

Which was referred to the committee on Sanitary Laws and Regulations.

On motion of Mr. Krimmel, the Senate adjourned.

Attest:

ALLEN O. MYERS, *Clerk*.

WEDNESDAY, January 29, 1879—10 o'clock A.M.

The Senate met pursuant to adjournment.

Prayer by Rev. Wm. E. Moore.

The Journal was read and approved.

Bills were read the second time and referred, as follows:

H. B. No. 477—Mr. Hume—To authorize the sale of certain lands therein named.

Committee on Public Works and Public Lands.

H. B. No. 603—Mr. Alexander—To amend section seven of an act entitled an act to define the powers and prescribe the duties of the Board of Commissioners of the sinking fund.

Committee on Finance.

H. B. No. 614—Mr. Turner—Supplementary to an act to amend, revise and consolidate the statutes relating to municipal corporations, to be known as title twelve, part one of the act to revise and consolidate the general statutes of Ohio, passed May 11, 1878, (O. L., Vol. 75, p. 314).

Committee on Municipal Corporations.

S. B. No. 242—Mr. Curtiss—To authorize the City Council of the city of Cleveland to levy a tax for building an armory, and to transfer certain funds therein named temporarily to an armory fund.

Committee on Military Affairs.

S. B. No. 243—Mr. Owens—To define and suppress tramps.

Committee on the Judiciary.

S. B. No. 244—Mr. Forrest—To amend sections three and seven, of chapter five, of division five of an act to amend, revise and consolidate the statutes relating to municipal corporations, to be known as title twelve, part one of the act to revise and consolidate the general statutes of Ohio, passed May, 1878, (75, O. L., pp. 238—239).

Committee on Municipal Corporations.

Mr. Forrest submitted the following report:

The joint committee on the part of the Senate, appointed to adjust the differences between the two Houses on certain proposed joint rule, having had the same under consideration, report that the House of Representatives has refused to adopt the recommendation of the joint committee, and they ask to be discharged from the further consideration of the subject.

W. T. FORREST,
H. W. CURTISS,
J. C. FISHER.

Said report was agreed to.

S. B. No. 214—Mr. Tyler—To amend section two of an act entitled an act to authorize the Commissioners of Brown county, Ohio, to construct a free turnpike road from the terminus of the Ripley and Hillsborough free turnpike road to the Highland county line, and to construct a free turnpike road from the terminus of the Arnheim free turnpike road via Sardenia to the Highland county line; also, from the terminus of the Mt. Oreb and Benton free turnpike road via Greenbush to the terminus of the Fayetteville and Chasetown free turnpike road, passed April 17, 1878, (O. L., Vol. 75, p. 1122)—was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 29, nays none, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Curtiss, Dungan, Fisher, Forrest, Grove, Howland, Irvine, Jackson of Clinton, Johnston, Joy, Kelley, Krimmel, Lord, Marsh, Owens, Parker, Sabine, Seitz, Sherrick, Steedman, Stokes, Tyler, Wagener and Williams—29.

So the bill passed. The title was agreed to.

H. B. No. 549—Mr. Van Cleaf—For the punishment of persons throwing or shooting at railroad trains—was read the third time.

Mr. Owens moved to refer the bill to a select committee of one, with instructions to amend as follows:

Strike out all after the word "dollars," in line 4, and insert: "or shall be imprisoned in the penitentiary not more than three years, or in the county jail not more than six months."

Which was agreed to, and Mr. Owens was appointed such committee, and reported the bill back amended as instructed.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 23, nays 2, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Curtiss, Fisher, Forrest, Grove, Howland, Joy, Kelley, Krimmel, Marsh, McDonald, Owens, Parker, Sabine, Seitz, Steedman, Stokes, Tyler and Wagener—23.

Messrs. Carson and Dungan voted in the negative.

So the bill passed. The title was agreed to.

H. B. No. 568—Mr. Wales—To authorize the Trustees of Wayne township, Warren county, Ohio, to lease a portion of the township-house in Waynesville—was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 28, nays 1, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Carson, Curtiss, Dungan, Fisher, Grove, Howland, Jackson of Clinton, Johnston, Joy,

Kelley, Krimmel, Lord, McDonald, Owens, Parker, Richards, Sabine Sherrick, Steedman, Stokes, Tyler, Wagener and Williams—28.

Mr. Seitz voted in the negative.

So the bill passed. The title was agreed to.

Mr. Richards submitted the following report:

The undersigned committee of Conference, appointed to consider the matters of difference between the two Houses in reference to S. J. R. No. 64, beg leave to report that they have agreed upon said matters of difference, and recommend the following:

SUBSTITUTE FOR S. J. R. NO. 64—MR. FORREST.

Resolved by the General Assembly of the State of Ohio: 1. Upon the introduction and first reading of any bill embodying printed matter prepared by the Commission to revise and consolidate the general statutes, the printing thereof shall be dispensed with.

2. Any amendments adopted by the branch of the General Assembly in which the bill is introduced, shall be printed in slips, with wide left margins, corresponding in type with that in which the bill is printed, and shall be pasted on the left margin opposite the amended sections; and no other engrossment of the bill shall be required.

3. The foregoing rules shall apply to the branch in which such bill is originally introduced; and when a bill so engrossed is received in the other branch, it may take the same course, so far as applicable, or the ordinary course of bills, as such branch may order.

4. In addition to the standing committee of the two Houses, as now constituted, there shall be a joint committee appointed by the presiding officers of the respective Houses, of seven members on part of the Senate, and seven members on part of the House, to be known as the joint committee on Consolidated Laws, and to which shall be referred all bills introduced from the Codifying Commission in the manner provided in the following section, as well as the parts of the penal code heretofore passed, together with copies of all laws of a general nature (to be furnished by the Enrolling Clerk), passed at the present session, which shall be by said joint committee, in connection with the Codifying Commission, arranged in their proper place in the code.

5. When, during the session, any part of the codified work heretofore completed, or reported at this session by the Codifying Commission, has been finally passed instead of being enrolled, it shall, on motion, be reconsidered, on which motion to reconsider there shall be no debate. If said motion prevails, such bill shall, without motion or vote, be referred to the joint committee on Consolidated Laws; but all laws of a general nature that shall be passed at the present session, and that should be put into the revised statutes, shall, before being deposited in the office of the Secretary of State, be copied, which copy shall also be referred to the joint committee on Consolidated Laws.

6. The powers and duties of said joint committee shall be confined to arranging the laws and numbering sections, and they shall have no power to change, alter or amend any of the work so referred to them.

After the final passage of the bill prepared by said joint committee in connection with the Codifying Commission it shall be revised and enrolled as other laws under the joint rules now existing of the General Assembly.

7. When said joint committee shall have reported such consolidated laws to either House, no other business shall be done in said House after the third reading, until completed and passed thereby; and when transmitted to the other branch of the General Assembly, they shall in like manner, after the third reading, receive exclusive consideration until completed and passed.

8. The rules heretofore adopted by either branch of the General Assembly, or by both branches, are hereby rescinded, in so far as the same are applicable to such bills at the stages herein named, and the joint rules governing bills prepared by the Codifying Commission, are hereby rescinded.

S. S. BLOOM,
H. J. BOOTH,
Committee on part of the House.

R. G. RICHARDS,
JAMES W. OWENS,
JAMES B. STEEDMAN,
Committee on part of the Senate.

On motion of Mr. Richards, said report was laid on the table, and ordered to be printed.

H. B. No. 524—Mr. Foster—To authorize the incorporation of associations for the purpose of the reclamation of both men and women from lives of intemperance and immorality—was read the third time.

The question being “Shall the bill pass?” the yeas and nays were taken, and resulted—yeas 23, nays none, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Curtiss, Dungan, Fisher, Forrest, Howland, Johnston, Joy, Lord, Marsh, McDonald, Owens, Richards, Sabine, Seitz, Sherrick, Steedman, Tyler and Wagener—23.

So the bill passed. The title was agreed to.

S. B. No. 210—Mr. Curtiss—Providing for increasing the levy for poor purposes in certain townships—was read the third time.

The question being “Shall the bill pass?” the yeas and nays were taken, and resulted—yeas 25, nays none, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Carson, Curtiss, Dungan, Fisher, Irvine, Jackson of Clinton, Johnston, Joy, Kelley, Lord, Marsh, McDonald, Richards, Sabine, Seitz, Steedman, Stokes, Tyler, Wagener and Williams—25.

So the bill passed. The title was agreed to.

S. B. No. 193—Mr. Owens—To amend an act passed May 13, 1878, entitled an act for the reorganization and better management of the Soldiers’ and Sailors’ Orphans’ Home, located at Xenia, and to repeal certain sections therein named, (O. L., Vol. 75, p. 591)—was read the third time.

Mr. Seitz moved to refer the bill to a select committee of one, with instructions to amend as follows:

Strike out the words “or indigent” in line 12.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 6, nays 20, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Fisher, McDonald, Parker, Seitz and Stokes—6.

Those who voted in the negative were—

Messrs. Beebe, Beer, Benson, Carlisle, Carson, Curtiss, Dungan, How-

land, Jackson of Clinton, Johnston, Joy, Kelley, Lord, Owens, Richards, Sabine, Sherrick, Steedman, Tyler and Wagener—20.

So the motion was disagreed to.

Mr. Marsh moved to refer the bill to a select committee of one, with instructions to amend as follows :

In line 22, after the word "grade", add: "the provisions of this bill shall not be construed to apply to others than the children of soldiers and sailors of this State, and citizens of this State enlisted in the service of the United States during the late war".

Which was disagreed to.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 23, nays 3, as follow :

Those who voted in the affirmative were—

Messrs. Beebe, Beer, Benson, Carlisle, Carson, Curtiss, Dungan, Grove, Howland, Irvine, Jackson of Clinton, Johnston, Joy, Kelley, Lord, Owens, Parker, Richards, Sherrick, Steedman, Stokes, Tyler and Wagener—23.

Those who voted in the negative were—

Messrs. Armstrong, Fisher and Seitz—3

So the bill passed. The title was agreed to.

On motion of Mr. Benson, the Senate took a recess.

THREE O'CLOCK P.M.

S. B. No. 227—Mr. Marsh - To amend section one of chapter one, and section one of chapter two of an act entitled an act to amend and revise the statutes relating to taxation, to be known as title thirteen, part one of the act to revise and consolidate the general statutes, (O. L., Vol. 75, p. 436)—was read the third time.

Mr. Forrest moved to refer the bill to a select committee of one, with instructions to amend as follows :

Strike out of line 59, of section 1, the words "or from any State, salaries or payments expected to be received for labor or services to be performed or rendered".

Which was agreed to, and Mr. Forrest was appointed such committee, and reported the bill back amended as instructed.

Mr. Forrest moved to refer the bill to a select committee of one, with instructions to amend as follows :

To add to line 5, of section 2, after the word "him", the word "as".

Which was agreed to, and Mr. Forrest was appointed such committee, and reported the bill back amended as instructed.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted yeas 27, nays none, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Curtiss, Dungan, Fisher, Forrest, Howland, Irvine, Jackson of Clinton, Joy, Kelley, Lord, Marsh, McDonald, Owens, Parker, Sabine, Seitz, Sherrick, Steedman, Stokes, Tyler, Wagener and Williams—27.

So the bill passed. The title was agreed to.

S. B. No. 199—Mr. Johnston—To amend an act entitled an act to fix the salaries of certain State officers, and to repeal a certain act therein named, (Swan & Sayler, p. 695)—was read the third time.

On motion of Mr. Howland, said bill was laid on the table.

S. B. No. 235—Mr. Howland—To regulate contracts of insurance of buildings and structures—was read the third time.

The question being “Shall the bill pass?” the yeas and nays were taken, and resulted—yeas 25, nays none, as follow :

Those who voted in the affirmative were—

Messrs. Beebe, Beer, Benson, Carlisle, Curtiss, Dungan, Fisher, Forrest, Howland, Jackson of Clinton, Joy, Kelley, Lord, Marsh, McDonald, Owens, Parker, Sabine, Seitz, Sherrick, Steedman, Stokes, Tyler, Wagener and Williams—25.

So the bill passed. The title was agreed to.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The House of Representatives has concurred in the passage of the following bill :

S. B. No. 229—Mr. Owens—To amend section four, of chapter three of an act entitled an act to amend and revise the statutes relating to taxation, to be known as title thirteen, part one of the act to revise and consolidate the general statutes, passed May 11, 1878, (Vol. 75, p. 460)—with the following amendments, in which the concurrence of the Senate is requested :

In line 22, after the word “county,” add : “or any district thereof”.

At end of section one, line 45, add : “but in counties or districts having no map, it shall be the duty of the Commissioners to furnish the same under the provisions of this section”.

Attest :

L. A. BRUNNER, *Clerk*.

The question being on concurring in the House amendments, the yeas and nays were taken, and resulted yeas 23, nays none, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Curtiss, Dungan, Fisher, Grove, Howland, Irvine, Jackson of Clinton, Joy, Kelley, Lord, McDonald, Owens, Sabine, Seitz, Sherrick, Steedman, Stokes and Wagener—23.

So said amendments were concurred in.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The House of Representatives has concurred in Senate amendments to—
H. B. No. 549—Mr. Van Cleaf—For the punishment of persons throwing or shooting at railroad trains.

Attest :

L. A. BRUNNER, *Clerk*.

The following bills were introduced, on leave, and read the first time :

S. B. No. 245—Mr. Sherrick—Fixing the rate of interest, and to repeal a certain act therein named, (O. L., Vol. 66, p. 91).

S. B. No. 246—Mr. Forrest—For the relief of Capt. John Porter.

Mr. Forrest submitted the following report :

The standing committee on Judiciary, to whom was referred H. B. No. 591—To authorize the village Council of the incorporated village of Elyria, Lorain county, Ohio, and the township Trustees of Elyria town-

ship, Lorain county, Ohio, to make a loan to complete repairs to the town-hall—having had the same under consideration, report it back without recommendation.

W. T. FORREST, D. WAGENER,
IRVINE DUNGAN, W. P. HOWLAND.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 22, nays 1, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Curtiss, Fisher, Grove, Howland, Jackson of Clinton, Johnston, Joy, Kelley, Lord, Marsh, McDonald, Owens, Sabine, Steedman, Stokes, Tyler and Wagener—22.

Mr. Forrest voted in the negative.

So the bill passed. The title was agreed to.

Mr. Howland submitted the following report:

The standing committee on Judiciary, to whom was referred H. B. No. 617—To authorize the Council of the village of East Liverpool, Columbiana county, to issue bonds for the construction of water-works—having had the same under consideration, report it back without recommendation.

W. P. HOWLAND, IRVINE DUNGAN,
W. T. FORREST, D. WAGENER.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 20, nays 1, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Carson, Curtiss, Fisher, Grove, Howland, Jackson of Clinton, Johnston, Kelley, Lord, Marsh, McDonald, Sabine, Sherrick, Stokes and Tyler—20.

Mr. Seitz voted in the negative.

So the bill passed. The title was agreed to.

Mr. Lord submitted the following report:

The select committee, to whom was referred S. B. No. 198—To encourage and regulate the study of anatomy—having had the same under consideration report it back, with the following amendments, and recommend its passage when so amended:

1st. Strike out of lines 4 and 5, section one, the following words: "asylums for the insane or".

2d. In line 5, of section 1, between the words "institution" and "founded," insert the following: "except asylums for the insane".

3d. At the close of section 1, add the following: "provided, that patients in insane asylums sent there from any work-house or penitentiary, shall not be exempt from the provisions and operation of this act."

4th. Strike out the whole of section 4, and change section 5 to 4, section 6 to 5, and section 7 to 6.

HENRY C. LORD, H. W. CURTISS,
J. R. JOHNSTON, J. SHERRICK.

Said amendments were agreed to, and the bill was ordered to be engrossed and read the third time to-morrow.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The Speaker of the House of Representatives has, in the presence of the House, signed the following bills and joint resolution:

H. B. No. 606—Mr. Sawyer—For the relief of Elizabeth Diekel.

H. B. No. 607—Mr. Sawyer—For the relief of Matilda Kœnig.

Substitute for H. J. R. No. 60—Mr. Bloom—As to the correction of Adjutant-general's records and rolls in regard to the name of Thomas S. Hart.

Attest :

L. A. BRUNNER, *Clerk*.

The President, in presence of the Senate, signed said bills and joint resolution.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bills, in which the concurrence of the Senate is requested :

H. B. No. 697—Mr. Crosson—To authorize the Commissioners of Clermont county, Ohio, to borrow an amount of money upon bonds of said county not exceeding the sum of fifteen thousand dollars.

H. B. No. 596—Mr. Clough—To provide for a supply of water for fire and other purposes in certain cities of the second class.

H. B. No. 661 Mr. Hitchcock—To authorize the township Trustees of Chardon township, Geauga county, to issue bonds and to borrow money to construct a vault.

Attest :

L. A. BRUNNER, *Clerk*.

Said bills were read the first time.

Mr. Tyler moved that the constitutional rule, requiring bills to be read on three different days, be suspended, that H. B. No. 697 may be read the second time.

On which motion the yeas and nays were taken, and resulted—yeas 27, nays none, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Carlisle, Carson, Curtiss, Fisher, Forrest, Grove, Howland, Irvine, Jackson of Clinton, Johnston, Joy, Kelley, Lord, Marsh, McDonald, Owens, Parker, Seitz, Sherrick, Steedman, Stokes, Tyler, Wagener and Williams—27.

So the motion was agreed to, and the bill was read the second time, and, on motion, was referred to the committee on Currency.

Mr. Johnston moved that S. B. No. 199 be taken from the table

Which was agreed to.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 13, nays 8, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Curtiss, Forrest, Howland, Jackson of Clinton, Johnston, Kelley, Lord, Owens, Sabine and Wagener—13.

Those who voted in the negative were—

Messrs. Carlisle, Fisher, Grove, McDonald, Parker, Seitz, Sherrick and Stokes—8.

So the bill, having failed to receive a constitutional majority, was lost. On motion of Mr. Seitz, the Senate adjourned.

Attest :

ALLEN O. MYERS, *Clerk*.

THURSDAY, *January* 30, 1879—10 o'clock A.M.

The Senate met pursuant to adjournment.

Prayer by Rev. Wm. E. Moore.

The Journal was read and approved.

Mr. Howland presented the petition of L. C. Cowles and 17 other citizens of Chardon township, county of Geauga, praying for the passage of an act authorizing the Trustees of said township to issue bonds and borrow money to construct a vault.

Which was referred to the committee on Municipal Corporations.

Bills were read the second time and referred, as follows:

H. B. No. 596—Mr. Clough—To provide for a supply of water for fire and other purposes, in certain cities of the second class.

Committee on Municipal Corporations.

H. B. No. 661—Mr. Hitchcock—To authorize the township Trustees of Chardon township, Geauga county, to issue bonds and borrow money to construct a vault.

Committee on Municipal Corporations.

S. B. No. 245—Mr. Sherrick—Fixing the rate of interest, and to repeal a certain act therein named, (O. L., Vol. 66, p. 91).

Committee on Finance.

S. B. No. 246—Mr. Forrest—For the relief of Captain John Porter.

Committee on Finance.

Mr. Lord moved that the consideration of S. B. No. 198 be postponed until Wednesday next.

Which was agreed to.

Mr. Johnston moved that the vote whereby S. B. No. 199 was lost be reconsidered.

Which was agreed to.

On motion of Mr. Johnston, said bill was laid on the table.

The following bills were introduced, and read the first time:

S. B. No. 247—Mr. Richards—To provide juries for Jefferson county.

S. B. No. 248—Mr. Jackson of Clinton—To provide for the punishment of crimes therein named.

Mr. Forrest submitted the following report:

The standing committee on Currency, to whom was referred H. B. No. 697—To authorize the Commissioners of Clermont county, Ohio, to borrow an amount of money upon bonds of said county of Clermont, not exceeding the sum of fifteen thousand dollars—having had the same under consideration, report it back, and recommend its passage.

JAMES B. STEEDMAN,	B. W. CARLISLE,
W. T. FORREST,	LINDSEY KELLEY.
J. C. McDONALD,	

The report was agreed to, and the bill was ordered to be engrossed and read the third time now, and was then read.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 27, nays none, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Carlisle, Carson, Curtiss, Dungan, Fisher, Forrest, Grove, Howland, Irvine, Jackson of Clinton, Johnston, Joy, Kelley, Krimmel, Lord, Marsh, McDonald, Owens, Parker, Sabine, Steedman, Stokes, Tyler, Wagener and Williams—27.

So the bill passed. The title was agreed to.

Mr. Irvine submitted the following report :

The committee on Insurance, to whom was referred H. J. R. No. 71—Directing that the Superintendent of Insurance be, and he is hereby directed to admit said items as assets in the January A. D. 1879 statements of the Ohio fire-insurance companies—having had the same under consideration, report it back, with the following amendment, and recommend its adoption when so amended :

Striking out all after the word “companies”, in the 11th line.

JOHN IRVINE, W. T. FORREST,
THEO. MARSH, C. S. PARKER.

Said amendment was agreed to.

The question being on the adoption of the joint resolution, the yeas and nays were taken, and resulted—yeas 8, nays 20, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Forrest, Grove, Irvine, Marsh, Parker, Sherrick and Tyler—8.

Those who voted in the negative were—

Messrs. Beebe, Beer, Benson, Carlisle, Carson, Curtiss, Dungan, Fisher, Howland, Johnston, Joy, Kelley, Lord, McDonald, Owens, Sabine, Steedman, Stokes, Williams and Wilson—20.

So the joint resolution, having failed to receive a constitutional majority, was lost.

On motion of Mr. Marsh, the Senate took a recess

THREE O'CLOCK P.M.

Mr. Lord offered the following resolution :

S. R. No. 80: *Resolved*, That the Clerk of the Senate cause to be printed for the use of members, one hundred extra copies of S. B. No. 209.

The question being on the adoption of the resolution, the yeas and nays were taken, and resulted—yeas 18, nays none, as follow :

Those who voted in the affirmative were—

Messrs. Beer, Benson, Carlisle, Curtiss, Dungan, Fisher, Forrest, Irvine, Jackson of Clinton, Johnston, Joy, Lord, Marsh, McDonald, Owens, Sherrick, Stokes, Tyler and Wilson—18.

So the resolution was adopted.

Mr. Wilson moved that the vote whereby H. B. No. 341 was indefinitely postponed be reconsidered.

Mr. Forrest moved that said motion be laid on the table.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 2, nays 18, as follow :

Those who voted in the affirmative were—

Messrs. Fisher and Forrest—2.

Those who voted in the negative were—

Messrs. Beer, Carlisle, Curtiss, Dungan, Irvine, Jackson of Clinton, Johnston, Joy, Krimmel, Lord, McDonald, Owens, Sabine, Seitz, Sherrick, Steedman, Stokes and Wilson—18.

So the motion was disagreed to.

The question recurring on Mr. Wilson's motion to reconsider the yeas and nays were demanded, taken, and resulted—yeas 14, nays 3, as follow :

Those who voted in the affirmative were—

Messrs. Carlisle, Curtiss, Dungan, Irvine, Jackson of Clinton, Johnston,

Krimmel, Lord, McDonald, Owens, Sabine, Steedman, Stokes and Wilson—14.

Those who voted in the negative were—

Messrs. Fisher, Forrest and Seitz—3.

So no quorum voted.

On demand of Mr. Fisher, a call of the Senate was had.

Messrs. Armstrong, Beebe, Beer, Benson, Carson, Grove, Howland, Jackson of Perry, Joy, Kelley, Marsh, Parker, Richards, Saltzgaber, Tyler, Wagener and Williams were absent.

Mr. Johnston moved that further proceedings under the call be dispensed with.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 11, nays 4, as follow :

Those who voted in the affirmative were—

Messrs. Carlisle, Curtiss, Dungan, Irvine, Jackson of Clinton, Johnston, Krimmel, Lord, Owens, Sherrick and Wilson—11.

Those who voted in the negative were—

Messrs. Fisher, Seitz and Steedman—3.

A quorum failing to vote, said motion was disagreed to.

Mr. Fisher moved that the Sergeant-at-Arms be dispatched for absentees.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 7, nays 11, as follow :

Those who voted in the affirmative were—

Messrs. Dungan, Fisher, Irvine, Seitz, Sherrick and Steedman—6.

Those who voted in the negative were—

Messrs. Carlisle, Curtiss, Jackson of Clinton, Johnston, Krimmel, Lord, McDonald, Owens, Sabine, Stokes and Wilson—11.

So the motion was disagreed to.

On motion of Mr. Carlisle, further proceedings under the call were dispensed with.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The House of Representatives has passed the following bill, in which the concurrence of the Senate is requested :

H. B. No. 639—Mr. Clough—Revising and consolidating the statutes relating to public buildings.

Attest :

L. A. BRUNNER, *Clerk.*

Said bill was read the first time.

Mr. Fisher submitted the following report :

The committee on Revision has examined, and found correctly engrossed, S. B. No. 198.—To encourage and regulate the study of anatomy.

J. C. FISHER,

G. W. WILSON,

J. M. CARSON.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The following bills have been introduced in the House of Representatives, and read the first time :

H. B. No. 714—Mr. Dodds—To establish a State Board of Health and Charities and defining its duties.

H. B. No. 715—Mr. Bohl—To revise and consolidate the statutes relating to persons; being title one, part one of the act to revise and consolidate the general statutes of Ohio.

H. B. No. 716—Mr. Danford—To amend section one of the act for the prevention of certain immoral practices, passed February 11, 1831, and an act amendatory thereto, passed March 30, 1864.

H. B. No. 717—Mr. Achauer—To amend section seven of an act entitled an act to provide for establishing an insurance department in the State of Ohio, as amended May 5, 1878, (Vol. 75, p. 576).

H. B. No. 718—Mr. Alexander—Making appropriations for deficiencies of the asylum fund.

H. B. No. 719—Mr. Van Cleaf—To punish embezzlement by public officers.

H. B. No. 720—Mr. Luccock—To amend section nine of an act entitled an act supplementary to an act entitled an act to provide for the creation and regulation of incorporated companies in the State of Ohio, passed May 1, 1852, as amended March 28, 1878, (Vol. 75).

H. B. No. 721—Mr. Haley—To repeal an act entitled an act authorizing the Trustees of cemeteries of the village of Kenton, Hardin county, Ohio, to remove dead bodies from the cemetery in said village, passed May 13, 1873, (Vol. 75, p. 1157).

H. B. No. 722—Mr. Stubbs—To compel persons doing business as conveyancers of real estate to furnish abstracts for the same.

H. B. No. 723—Mr. Wright—To regulate the sale of drugs.

H. B. No. 724—Mr. Dalzell—To regulate the Ohio Soldiers' and Sailors' Orphans' Home, located at Xenia, and to repeal certain acts therein named, and to repeal act of May 13, 1878, (Vol. 75, p. 591).

H. B. No. 725—Mr. Hart—In relation to indexing records.

H. B. No. 726—Mr. Oglevee—Revising the statutes relating to definitions and general provisions.

H. B. No. 727—Mr. Alexander—Prescribing the rate of State taxes, and to repeal an act therein named, (Vol. 73, p. 114).

H. B. No. 728—Mr. Foster—To amend sections two and three of an act to authorize Boards of Education in certain cities to appoint library committees and levy a tax for school purposes, passed April 8, 1878, (Vol. 75, p. 101).

H. B. No. 729—Mr. Sturgeon—To provide for the payment of indebtedness.

H. B. No. 730—Mr. Lovelace—To amend the act passed May 14, 1878, (Vol. 75,) entitled an act to amend, revise and consolidate the statutes relating to municipal corporations, to be known as title twelve, part one of the act to revise and consolidate the general statutes, and to repeal certain sections therein named.

H. B. No. 731—Mr. Cowgill—To authorize the Board of Education of Concord township, Champaign county, to issue bonds and levy a tax in anticipation of the collection thereof, for the purpose of purchasing a site and erecting a school-house thereon, in joint sub-district No. 1, of Concord and Mad River townships.

H. B. No. 732—Mr. Stubbs—To amend section eleven, of chapter five, title thirteen, taxation, (Vol. 75, p. 478).

H. B. No. 733—Mr. Eylar—For the relief of Julia A. Trent, a school-teacher in the Manchester public school.

H. B. No. 734—Mr. Wright—To amend section one hundred and forty-two of an act entitled an act to revise and consolidate the laws relating to procedure in the Probate Court, passed May 7, 1878.

Attest:

L. A. BRUNNER, *Clerk*.

Mr. Dungan submitted the following report:

The joint committee on Enrollment have examined, and found correctly enrolled, the following bills:

H. B. No. 568—To authorize the Trustees of Wayne township, Warren county, Ohio, to lease a portion of the township-house in Waynesville.

H. B. No. 549—For the punishment of persons throwing or shooting at railroad trains.

H. B. No. 524—To authorize the incorporation of associations for the purpose of the reclamation of both men and women from lives of intemperance and immorality.

S. B. No. 229—To amend section four, of chapter three of an act entitled an act to amend and revise the statutes relating to taxation, to be known as title thirteen, part one of the act to revise and consolidate the general statutes, passed May 11, 1878, (O. L., Vol. 75, p. 460).

IRVINE DUNGAN,	J. R. JOHNSTON,
C. R. HARMON,	J. W. WASHBURN,
E. S. PERKINS,	A. D. MARSH,
DUNCAN DOW,	WM. JESSUP,
C. F. KRIMMEL,	

Mr. Dungan, on leave, introduced the following bill, which was read the first time:

S. B. No. 249—To provide for the sale of the property of certain corporations on execution.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The Speaker of the House of Representatives has, in the presence of the House, signed the following bills:

H. B. No. 549 --Mr. Van Cleaf—For the punishment of persons throwing or shooting at railroad trains.

H. B. No. 568—Mr. Wales To authorize the Trustees of Wayne township, Warren county, Ohio, to lease a portion of the township-house in Waynesville.

H. B. No. 524—Mr. Foster—To authorize the incorporation of associations for the purpose of the reclamation of both men and women from lives of intemperance and immorality.

Attest:

L. A. BRUNNER, *Clerk*.

The President, in presence of the Senate, signed said bills.

On motion of Mr. Irvine, the Senate adjourned until 8 o'clock A.M. tomorrow.

Attest:

ALLEN O. MYERS, *Clerk*.

FRIDAY, *January* 31, 1879—8 o'clock A.M.

The Senate met pursuant to adjournment.

Prayer by Rev. Wm. E. Moore.

The Journal was read and approved.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The Speaker of the House of Representatives has, in the presence of the House, signed the following bill:

S. B. No. 229 - Mr. Owens—To amend section four, of chapter three of an act entitled an act to amend and revise the statutes relating to taxation, to be known as title thirteen, part one of the act to revise and consolidate the general statutes, passed May 11, 1878, (O. L., Vol. 75, p. 460).

Attest:

L. A. BRUNNER, *Clerk*.

The President, in presence of the Senate, signed said bill.

Mr. Seitz moved that the Senate adjourn.

Which was agreed to.

The President announced that the Senate, in pursuance of S. R. No. 70, would stand adjourned until Tuesday next, at three o'clock P.M.

Attest:

ALLEN O. MYERS, *Clerk*.

TUESDAY, *February* 4, 1879—3 o'clock P.M.

The Senate met pursuant to adjournment.

Prayer by Rev. S. G. Hopkins.

The Journal was read and approved.

Bills were read the second time and referred, as follows:

H. B. No. 639—Mr. Clough—Revising and consolidating the statutes relating to public buildings.

Committee on State Buildings.

S. B. No. 247—Mr. Richards—To provide juries for Jefferson county.

Committee on the Judiciary.

S. B. No. 248—Mr. Jackson of Clinton—To provide for the punishment of crimes therein named.

Committee on the Judiciary.

S. B. No. 249—Mr. Dungan—To provide for the sale of the property of certain corporations on execution.

Committee on Corporations other than Municipal.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The following bills have been introduced in the House of Representatives, and read the first time:

H. B. No. 735—Mr. Klimper—Providing for the relief of street railroad companies in certain cases.

H. B. No. 736—Mr. Tyler of Licking—To amend section thirty-three, of chapter eight of an act entitled an act to amend, revise and consolidate the statutes relating to crimes and offenses, and to repeal certain acts therein named, to be known as title one, crimes and offenses, part four of the act to revise and consolidate the general statutes of Ohio, passed May 5, 1877, (O. L., Vol. 74, p. 273).

H. B. No. 737—Mr. Alexander—Making appropriations for deficiencies which are payable out of the general revenue fund.

H. B. No. 738—Mr. Parker—For the relief of S. W. Drake.

H. B. No. 739—Mr. Eylar—To regulate the sale of intoxicating liquors.

H. B. No. 740 Mr. Bloom—Amendatory to an act entitled an act to incorporate savings and loan associations, passed February 26, 1873.

H. B. No. 741—Mr. Parker—To authorize the Commissioners of Brown county to transfer certain funds.

H. B. No. 742—Mr. Norton—To authorize the Council of the city of Tiffin, Ohio, to make a contract with the Tiffin Water-Works for a supply of water for fire and other purposes, for a period not exceeding twenty-five years, and to levy taxes to pay the water rents to become due by terms of said contract.

H. B. No. 743—Mr. Norton—To authorize the Trustees of Clinton township, Seneca county, Ohio, to levy a tax to macadamize and improve the roads and highways in said township.

H. B. No. 744—Mr. Hardy of Defiance—Supplementary to the act regulating descents and the distribution of personal estates, passed March 14, 1853, (S. & C., p. 501).

H. B. No. 745—Mr. Brown of Putnam—To authorize the Commissioners of the counties of Putnam, Wood and Henry to levy a tax to pay certain fees therein named.

H. B. No. 746—Mr. Parker—To amend section fifty-three, of chapter seven, of sub-division six of an act entitled an act to revise and consolidate the laws relating to civil procedure in Courts of Common Pleas and Superior Courts, in District Courts on appeal, and also the laws relating to procedure in error, mandamus and quo warranto, (O. L., Vol. 75, p. 625).

H. B. No. 747—Mr. Hardy of Defiance—To authorize the Board of Public Works to grant or lease the south bank of Six-Mile Reservoir, in Paulding county, to the Paulding and Antwerp Railroad Company, for a road-bed under certain restrictions.

H. B. No. 748—Mr. Booth—To amend section eighteen, chapter six, division seven of an act entitled an act to revise and consolidate the laws relating to civil procedure in Courts of Common Pleas and Superior Courts, in District Courts on appeal, and also the laws relating to procedure in error, mandamus and quo warranto, passed May 14, 1878, (O. L., Vol. 75, p. 597).

H. B. No. 749—Mr. Hardy of Coshocton—To authorize the Agricultural Society of Coshocton county to borrow money to pay its indebtedness.

H. B. No. 750—Mr. Wright—Providing for the sale of a lot on Eggleston avenue, in Cincinnati, belonging to the State, and for the payment of an assessment for improving the same.

Attest:

L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The House of Representatives has concurred in the passage of the following bill :

S. B. No. 220—Mr. Joy—To authorize the Board of County Commissioners of Hancock county to build a jail, supplementary to an act entitled an act to authorize the Board of County Commissioners of Hancock county to levy a tax for the purpose of building a county jail, passed April 24, 1878, (O. L., Vol. 75, p. 1128).

Attest :

L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The House of Representatives has passed the following bills, in which the concurrence of the Senate is requested :

H. B. No. 588—Mr. Wright—To amend the act passed May 14, 1878, entitled an act to amend, revise and consolidate the statutes relating to municipal corporations, to be known as title twelve, part one of the act to revise and consolidate the general statutes of Ohio, (Vol. 75, O. L., pp. 161-304).

H. B. No. 640—Mr. Paine—To authorize the County Commissioners of Jackson county to transfer certain county funds.

H. B. No. 679—Mr. Wolf—For the relief of George Amerine.

H. B. No. 651—Mr. Bohl—To amend an act entitled an act to require inn and boarding-house keepers to provide suitable and sufficient fire-escapes, passed May 5, 1877, (O. L., Vol. 74, p. 176).

H. B. No. 686—Mr. Haley—Relating to surveys authorized by the Congress of the United States in the State of Ohio.

H. B. No. 646 Mr. Wright—Supplementary to the act of May 14, 1878, entitled an act to revise and consolidate the laws relating to civil procedure in Courts of Common Pleas and Superior Courts, in District Courts on appeal, and also the laws relating to procedure in error, mandamus and quo warranto.

H. B. No. 680—Mr. Dow—To authorize the township Trustees of Perry township, Logan county, to transfer certain funds.

Attest :

L. A. BRUNNER, *Clerk.*

Said bills were read the first time.

The following bills were introduced and read the first time :

S. B. No. 250—Mr. Carlisle—To amend section nine of an act entitled an act supplementary to an act entitled an act to provide for the creation and regulation of incorporated companies in the State of Ohio, passed May 1, 1852; passed April 15, 1867, (S. & S., 186,) as amended February 25, 1869, (O. L., Vol. 66, p. 11), as amended April 20, 1874, (O. L., Vol. 71, p. 161), as amended April 11, 1876, (O. L., Vol. 73, p. 188), as amended March 12, 1877, (O. L., Vol. 74, p. 38), as amended March 28, 1878, (O. L., Vol. 75, p. 821), as amended May 3, 1878, (O. L., Vol. 75., p. 128).

S. B. No. 251—Mr. Saltzgaber - Supplementary to an act entitled an act relating to ditches, passed April 12, 1871, (O. L., Vol. 68, p. 60), and the acts supplementary thereto and amendatory thereof.

Mr. Richards submitted the following report :

The joint committee on Enrollment have examined, and found correctly enrolled, the following bills :

H. B. No. 697—To authorize the Commissioners of Clermont county, Ohio, to borrow an amount of money upon bonds of said county of Clermont, not exceeding the sum of fifteen thousand dollars.

H. B. No. 617 —To authorize the Council of the village of East Liverpool, Columbiana county, to issue bonds for the construction of water-works.

H. B. No. 591—To authorize the village Council of the incorporated village of Elyria, Lorain county, Ohio, and the township Trustees of Elyria township, Lorain county, Ohio, to make a loan to complete repairs to the town-hall.

C. F. KRIMMEL.	DUNCAN DOW,
R. G. RICHARDS,	WM. JESSUP,
J. W. WASHBURN,	C. R. HARMON
F. M. CARTER,	

Mr. Richards moved that Substitute for S. J. R. No. 64 be taken from the table.

Which was agreed to.

Mr. Seitz moved that the further consideration of said substitute be postponed until to-morrow.

Which was agreed to.

On motion of Mr. Krimmel, the Senate adjourned.

Attest :

ALLEN O. MYERS, *Clerk.*

WEDNESDAY, *February 5*, 1879—10 o'clock A.M.

The Senate met pursuant to adjournment.

Prayer by Rev. S. G. Hopkins.

The Journal was read and approved.

Bills were read the second time and referred, as follows :

H. B. No. 588—Mr. Wright—To amend the act passed May 14, 1878, entitled an act to amend, revise and consolidate the statutes relating to municipal corporations, to be known as title twelve, part one of the act to revise and consolidate the general statutes of Ohio, (Vol. 75, O. L., pp. 161—304).

Committee on Municipal Corporations.

H. B. No. 640—Mr. Paine—To authorize the Commissioners of Jackson county to transfer certain county funds.

Committee on Finance.

H. B. No. 679—Mr. Wolf—For the relief of George Amerine.

Committee on Claims.

H. B. No. 651—Mr. Bohl—To amend an act entitled an act to require inn and boarding-house keepers to provide suitable and sufficient fire-escapes, passed May 5, 1877, (O. L., Vol. 74, p. 176).

Committee on Municipal Corporations.

H. B. No. 686—Mr. Haley—Relating to surveys authorized by the Congress of the United States in the State of Ohio.

Committee on Federal Relations.

H. B. No. 646—Mr. Wright—Supplementary to the act of May 14, 1878, entitled an act to revise and consolidate the laws relating to civil procedure in Courts of Common Pleas and Superior Courts, in District Courts on appeal, and also the laws relating to procedure in error, mandamus and quo warranto.

Committee on the Judiciary.

H. B. No. 680—Mr. Dow—To authorize the township Trustees of Perry township, Logan county, to transfer certain funds.

Committee on Finance.

S. B. No. 250—Mr. Carlisle—To amend section nine of an act entitled an act supplementary to an act entitled an act to provide for the creation and regulation of incorporated companies in the State of Ohio, passed May 1, 1852; passed April 15, 1867, (S. & S., 186), as amended February 25, 1869, (O. L., Vol. 66, p. 11), as amended April 20, 1874, (O. L., Vol. 71, p. 161), as amended April 11, 1876, (O. L., Vol. 73, p. 188), as amended March 12, 1877, (O. L., Vol. 74, p. 38), as amended March 28, 1878, (O. L. Vol. 75, p. 821), as amended May 3, 1878, (O. L., Vol. 75, p. 128).

Committee on Corporations other than Municipal.

S. B. No. 251—Mr. Saltzgaber—Supplementary to an act entitled an act relating to ditches, passed April 12, 1871, (O. L., Vol. 68, p. 60), and the acts supplementary thereto and amendatory thereof.

On motion of Mr. Saltzgaber, said bill was ordered to be engrossed and read the third time to-morrow.

Mr. Carson presented the petition of J. K. Albright and 1200 other citizens of Darke county, praying for the reduction of county fees and salaries.

Which was referred to the committee on Fees and Salaries.

On motion of Mr. Curtiss, the consideration of S. B. No. 198 was postponed until to-morrow.

Mr. Saltzgaber, on leave, introduced the following bill, which was read the first time:

S. B. No. 252—To amend the act of May 11, 1878, entitled an act to revise and consolidate the laws relating to procedure before Justices of the Peace and Mayors.

Mr. Saltzgaber moved that the committee on the Judiciary be discharged from the further consideration of S. B. No. 247.

Which was agreed to.

On motion of Mr. Richards, said bill was ordered to be engrossed and read the third time now, and was then read.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 24; nays none, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Benson, Carlisle, Carson, Curtiss, Fisher, Howland, Irvine, Jackson of Clinton, Krimmel, Lord, Marsh, McDonald, Owens, Richards, Sabine, Saltzgaber, Seitz, Sherrick, Steedman, Stokes, Tyler and Williams—24.

So the bill passed. The title was agreed to.

Mr. Steedman, on leave, introduced the following bill, which was read the first time:

S. B. No. 253—To amend section thirty-four, chapter four, division seven of an act amend, revise and consolidate the statutes relating to municipal corporations, to be known as title twelve, part one of the act to revise and consolidate the general statutes of Ohio, passed May 14, 1878, (Municipal Code, p. 320,) also Statutes of 1878, p. 320.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The House of Representatives has passed the following bill, in which the concurrence of the Senate is requested :

H. B. No. 581—Mr. Norton—To amend section fifteen, of chapter thirteen, division eight of the act entitled an act to amend, revise and consolidate the statutes relating to municipal corporations, to be known as title twelve, part one of the act to revise and consolidate the general statutes of Ohio, passed May 14, 1878.

Attest :

L. A. BRUNNER, *Clerk.*

Said bill was read the first time.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The Speaker of the House of Representatives has, in the presence of the House, signed the following bills:

H. B. No. 697—Mr. Crosson—To authorize the Commissioners of Clermont county, Ohio, to borrow an amount of money upon bonds of said county of Clermont, not exceeding the sum of fifteen thousand dollars.

H. B. No. 591—Mr. Herrick—To authorize the village Council of the incorporated village of Elyria, Lorain county, Ohio, and the township Trustees of Elyria township, Lorain county, Ohio, to make a loan to complete repairs to the town-hall.

H. B. No. 617—Mr. Boyce—To authorize the Council of the village of East Liverpool, Columbiana county, to issue bonds for the construction of water-works.

Attest :

L. A. BRUNNER, *Clerk.*

The President, in presence of the Senate, signed said bills.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The House of Representatives has adopted the following joint resolution, in which the concurrence of the Senate is requested :

H. J. R. No. 77—Mr. Greene—Providing for the payment of the claim of Jacob Haynes, former Secretary of the Board of Trustees of the Soldiers' and Sailors' Orphans' Home.

Attest :

L. A. BRUNNER, *Clerk.*

On motion of Mr. Owens, said joint resolution was referred to the committee on Public Expenditures.

On motion of Mr. Benson, the Senate took a recess.

THREE O'CLOCK P.M.

Mr. Marsh submitted the following report :

The standing committee on Municipal Corporations, to whom was referred H. B. No. 661—To authorize the township Trustees of Chardon township, Geauga county, to issue bonds and borrow money to construct

a vault—having had the same under consideration, report it back, and recommend its passage.

THEO. MARSH, JAS. B. STEEDMAN,
R. G. RICHARDS, G. A. GROVE.

Said bill was ordered to be engrossed and read the third time now, and was then read.

The question being “Shall the bill pass?” the yeas and nays were taken, and resulted—yeas 22, nays 1, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Benson, Carlisle, Curtiss, Grove, Howland, Irvine, Jackson of Clinton, Krimmel, Lord, Marsh, McDonald, Owens, Sabine, Seitz, Sherrick, Steedman, Stokes, Tyler, Williams and Wilson—22.

Mr. Fisher voted in the negative.

So the bill passed. The title was agreed to.

Leave of absence was asked and obtained for Messrs. Forrest, Beer, Johnston, Dungan, Kelley, Parker and Jackson of Perry, until to-morrow.

On demand of Mr. Benson, a call of the Senate was had.

Messrs. Carson, Joy, Richards, Saltzgaber and Wagener were absent.

On motion of Mr. Marsh, further proceedings under the call were dispensed with.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The House of Representatives has passed the following bills, in which the concurrence of the Senate is requested :

H. B. No. 742---Mr. Norton—To authorize the Council of the city of Tiffin, Ohio, to make a contract with the Tiffin Water-Works for a supply of water for a period not exceeding twenty-five years, and to levy taxes to pay the water rents to become due by terms of said contract.

H. B. No. 699—Mr. Bohl—To amend section twenty-three, of chapter one, division five of an act to revise and consolidate the laws relating to civil procedure in Courts of Common Pleas and Superior Courts, in District Courts on appeal, and also the laws relating to procedure in error, mandamus and quo warranto, (O. L., Vol. 75, p. 684).

Attest: L. A. BRUNNER, *Clerk.*

Said bills were read the first time.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The following bills have been introduced in the House of Representatives, and read the first time :

H. B. No. 751—Mr. Mack—For the transfer of territory.

H. B. No. 752—Mr. Wright—Supplementary to the act of May 14, 1878, entitled an act to amend, revise and consolidate the statutes relating to municipal corporations, to be known as title twelve, part one of the act to revise and consolidate the general statutes of Ohio, (Vol. 75, O. L., p. 161).

Attest: _____ L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The House of Representatives has concurred in the passage of the following bill :

S. B. No. 247—Mr. Richards—To provide jurors for Jefferson county.

Attest :

L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The House of Representatives has agreed to the report of the Conference committee on

Substitute for S. J. R. No. 64—Mr. Forrest—Relating to bills prepared by the Codifying Commission.

Attest :

L. A. BRUNNER, *Clerk.*

Mr. Armstrong submitted the following report :

The standing committee on Claims, to whom was referred H. B. No. 679—For the relief of George Amerine—having had the same under consideration, report it back, and recommend its passage.

J. M. ARMSTRONG,	J. C. McDONALD,
G. A. GROVE,	D. D. BEEBE,
J. B. WILLIAMS,	H. SABINE.

The bill was ordered to be engrossed and read the third time to-morrow.

Mr. Krimmel, on leave, introduced the following bill, which was read the first time:

S. B. No. 254—To amend an act of May 14, 1878, entitled an act to amend, revise and consolidate the statutes relating to municipal corporations, to be known as title twelve, part one of the act to revise and consolidate the general statutes of Ohio, (Vol. 75, O. L., p. 161.)

Mr. Grove presented the memorial of Judge Elliott, of the Common Pleas, Court and 110 other citizens of Montgomery county, asking that a joint committee or commission be appointed by the Legislature, to revise the present fee bills.

Which was referred to the committee on Salaries and Fees.

Mr. Lord, on leave, introduced the following bill, which was read the first time :

S. B. No. 255—To amend an act entitled an act to define the powers and prescribe the duties of the Board of Commissioners of the sinking fund, passed April 12, 1858.

Mr. Beebe presented the petition of Capt. H. H. Brown and 45 other citizens of Summit county, members of Company B, 8th Regt. O. N. G., asking that transportation and subsistence while in encampment be provided by law.

Which was referred to the committee on Military Affairs.

Mr. Carson submitted the following report:

The committee on Public Printing, to whom was referred S. J. R. No. 69—Providing for the printing and binding of additional copies of the Secretary of States' Report for distribution among the members—having had the same under consideration, report it back, and recommend its adoption.

J. M. CARSON,	JOHN H. BENSON,
D. D. BEEBE,	J. M. ARMSTRONG.

The question being on the adoption of the joint resolution—

Mr. Sherrick moved, to amend said joint resolution by striking out the words “twenty thousand”, and inserting instead thereof “twelve thousand”.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 8, nays 16, as follow :

Those who voted in the affirmative were—

Messrs. Dungan, Fisher, Forrest, Marsh, McDonald, Seitz, Sherrick and Stokes.

Those who voted in the negative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carson, Curtiss, Howland, Krimmel, Lord, Owens, Richards, Sabine, Steedman, Tyler, Williams and Wilson—16.

So the motion was disagreed to.

Mr. Seitz moved that said joint resolution be amended by striking out the words “twenty thousand,” and inserting in lieu thereof the words “sixteen thousand.”

On which motion the yeas and nays were demanded, taken, and resulted—yeas 20, nays 6, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Carlisle, Carson, Dungan, Fisher, Forrest, Grove, Howland, Irvine, Lord, Marsh, McDonald, Owens, Richards, Sabine, Seitz, Stokes, Williams and Wilson—20.

Those who voted in the negative were—

Messrs. Beer, Benson, Curtiss, Krimmel, Steedman and Tyler—6.

So the motion was agreed to.

The question recurring on the adoption of the joint resolution as amended, the yeas and nays were taken, and resulted—yeas 23, nays 2, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Carlisle, Carson, Curtiss, Fisher, Forrest, Grove, Howland, Jackson of Clinton, Krimmel, Lord, Marsh, McDonald, Owens, Richards, Sabine, Steedman, Stokes, Tyler, Williams and Wilson—23.

Those who voted in the negative were—

Messrs. Benson and Sherrick—2.

So the joint resolution was adopted.

Mr. Howland presented the petition of Wm. M. Rain and 210 other citizens of Rome, Ashtabula county, Ohio, praying that the manufacture and sale of intoxicating liquors be prohibited, and in case such an act would be unconstitutional, then that this Legislature submit a proposition to amend the Consitution so as to permit such legislation.

Which was referred to the committee on Sanitary Laws.

Mr. Owens submitted the following report:

The standing committee on Geological Survey, to whom was referred S. J. R. No. 70—Relating to distribution of 5th Vol. of final report of Geological Survey, (being Vol. III. of Geology)—having had the same under consideration, report it back, with the following amendments, and recommend its passage when so amended :

Strike out all after the word “Library ” in line 9, to and including the word “State”, in line 12, and insert in lieu thereof the following: “one hundred copies for the Secretary of State, one hundred and ninety-five

copies to the Ohio State University, and one hundred and twenty-nine copies to each member of the present General Assembly, including the Lieutenant-Governor".

Also, at the end of line 3, add: "being Volume III. of Geology.

LINDSEY KELLEY,	J. SHERRICK,
JAMES W. OWENS,	H. C. LORD,
W. H. STOKES,	IRVINE DUNGAN.
J. R. JOHNSTON,	

Said amendments were agreed to.

The question being on the adoption of the joint resolution, the yeas and nays were taken, and resulted—yeas 23, nays 2, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Carson, Curtiss, Fisher, Grove, Jackson of Clinton, Krimmel, Lord, Marsh, McDonald, Owens, Sabine, Seitz, Sherrick, Steedman, Stokes, Tyler, Williams and Wilson—23.

Those who voted in the negative were—

Messrs. Dungan and Forrest—2.

So the joint resolution was adopted.

Mr. Krimmel submitted the following report:

The joint committee on Enrollment have examined, and found correctly enrolled, the following bill:

S. B. No. 220—An act to authorize the Board of County Commissioners of Hancock county to build a jail, supplementary to an act entitled an act to authorize the Board of County Commissioners of Hancock county to levy a tax for the purpose of building a county jail, passed April 24, 1878, (O L., Vol. 75, p. 1128).

C. F. KRIMMEL,	C. R. HARMON,
DUNCAN DOW,	WM. JESSUP,
R. G. RICHARDS,	IRVINE DUNGAN.

On motion of Mr. Richards, the Senate proceeded to the consideration of the report of the Conference committee on Substitute for S. J. R. No. 64.

The question being on agreeing to the report of the committee—

Mr. Seitz moved that said report be referred back to the Conference committee for correction.

Which was agreed to.

Mr. Krimmel submitted the following report:

The joint committee on Enrollment have examined, and found correctly enrolled, the following bill:

S. B. No. 247—To provide jurors for Jefferson county.

C. F. KRIMMEL,	DUNCAN DOW,
R. G. RICHARDS,	F. M. CARTER,
IRVINE DUNGAN,	J. W. WASHBURN.
C. R. HARMON,	

On motion of Mr. Carlisle, the Senate adjourned.

Attest:

ALLEN O. MYERS, *Clerk.*

THURSDAY, February 6, 1879—10 o'clock A.M.

The Senate met pursuant to adjournment.
Prayer by Rev. S. G. Hopkins.

The Journal was read and approved.

Bills were read the second time and referred, as follows :

H. B. No. 581—Mr. Norton—To amend section fifteen, of chapter thirteen, division eight of the act entitled an act to amend, revise and consolidate the statutes relating to municipal corporations, to be known as title twelve, part one of the act to revise and consolidate the general statutes of Ohio, passed May 14, 1878.

Committee on Judiciary.

H. B. No. 742—Mr. Norton—To authorize the Council of the city of Tiffin, Ohio, to make a contract with the Tiffin Water-Works for a supply of water for fire and other purposes, for a period not exceeding twenty-five years, and to levy taxes to pay the water rents to become due by the terms of said contract.

Committee on Municipal Corporations.

H. B. No. 699 —Mr. Bohl—To amend section twenty-three, of chapter one, division five of an act to revise and consolidate the laws relating to civil procedure in Courts of Common Pleas and Superior Courts, in District Courts on appeal, and also the laws relating to procedure in error, mandamus and quo warranto, (O. L., Vol. 75, p. 684.)

Committee on the Judiciary.

S. B. No. 252—Mr. Saltzgaber—To amend the act of May 11, 1878, entitled an act to revise and consolidate the laws relating to procedure before Justices of the Peace and Mayors.

Committee on the Judiciary.

S. B. No. 253—Mr. Steedman—To amend section thirty-four, chapter four, division seven of an act to amend, revise and consolidate the statutes relating to municipal corporations, to be known as title twelve, part one of the act to revise and consolidate the general statutes of Ohio, passed May 14, 1878.

Committee on Municipal Corporations.

S. B. No. 254—Mr. Krimmel—To amend the act of May 14, 1878, entitled an act to amend, revise and consolidate the statutes relating to municipal corporations, to be known as title twelve, part one of the act to revise and consolidate the general statutes of Ohio, (75, O. L., p. 161.)

Committee on Municipal Corporations.

S. B. No. 255 — Mr. Lord—To amend an act entitled an act to define the powers and prescribe the duties of the Board of Commissioners of the sinking fund, passed April 12, 1856, (Swan & Critchfield, 235.)

Committee on Finance.

Leave of absence was asked and obtained for Mr. Beer, until Monday next. Also, for Allen O. Myers, Chief Clerk, until to-morrow.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The Speaker of the House of Representatives has, in the presence of the House, signed the following bills :

S. B. No. 247—Mr. Richards—To provide jurors for Jefferson county.

S. B. No. 220—Mr. Joy—To authorize the Board of County Commissioners of Hancock county to build a jail, supplementary to an act entitled an act to authorize the Board of County Commissioners of Hancock county, to levy a tax for the purpose of building a county jail, passed April 24, 1878, (O. L., Vol. 75, p. 1128).

Attest :

L. A. BRUNNER, *Clerk.*

The President, in presence of the Senate, signed said bills.

Mr. Fisher submitted the following report :

The committee on Revision has examined, and found correctly engrossed, S. J. R. No. 70 Providing for the distribution of the 3d Volume of the report of the Geological Survey.

J. M. CARSON,
J. C. FISHER,
G. W. WILSON.

S. B. No. 198—Mr. Lord—To encourage and regulate the study of anatomy—was read the third time.

Mr. Wilson moved to refer the bill to a select committee of one, with instructions to amend as follows :

In section 4, line 3, strike out the words "less than one hundred nor"; and in line 4, strike out the words "less than six months nor"; and in line 5, strike out "five years", and insert "six months".

Which was agreed to, and Mr. Wilson was appointed such committee, and reported the bill back amended as instructed.

Mr. Marsh moved to refer the bill to a select committee of one, with instructions to amend as follows :

Strike out in line 3, section 1, the words "directors or superintendents of city and county infirmaries."

Pending which, on motion of Mr. Seitz, the Senate took a recess

THREE O'CLOCK P.M.

When the Senate took a recess, the pending question was on Mr. Marsh's motion to refer S. B. No. 198 to a select committee of one, with instructions to amend.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 18, nays 11, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Carlisle, Carson, Fisher, Forrest, Grove, Howland, Irvine, Jackson of Clinton, Joy, Kelley, Marsh, McDonald, Steedman, Stokes, Williams and Wilson—18.

Those who voted in the negative were—

Messrs. Curtiss, Dungan, Krimmel, Lord, Owens, Richards, Sabine, Saltzgaber, Seitz, Sherrick and Wagener—11.

So the motion was agreed to, and Mr. Marsh was appointed such committee, and reported the bill back amended as instructed.

Mr. Steedman moved to refer the bill to a select committee of one, with instructions to amend as follows :

Insert after the word "body", in line 11, section 1, the words "of every physician and."

On which motion the yeas and nays were demanded, taken, and resulted—yeas 10, nays 17, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Curtiss, Dungan, Fisher, Forrest, Grove, Joy, Marsh, Steedman and Stokes—10.

Those who voted in the negative were—

* Messrs. Beebe, Carlisle, Carson, Howland, Irvine, Jackson of Clinton, Kelley, Krimmel, Lord, McDonald, Owens, Richards, Sabine, Seitz, Sherrick, Wagener and Wilson—17.

So the motion was disagreed to.

Mr. Howland moved to refer the bill to a select committee of one, with instructions to amend as follows:

In line 5, section 1, strike out the word "charitable", and insert the word "penal".

On which motion the yeas and nays were demanded, taken, and resulted—yeas 25, nays 4, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Carlisle, Carson, Curtiss, Fisher, Forrest, Grove, Howland, Irvine, Jackson of Clinton, Joy, Kelley, Marsh, McDonald, Owens, Richards, Sabine, Saltzgaber, Seitz, Sherrick, Steedman, Stokes, Williams and Wilson—25.

Those who voted in the negative were—

Messrs. Dungan, Krimmel, Lord and Wagener—4.

So the motion was agreed to, and Mr. Howland was appointed such committee, and reported the bill back amended as instructed.

Mr. Sherrick moved that the bill be laid on the table.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 19, nays 11, as follow :

Those who voted in the affirmative were—

Messrs. Beebe, Carlisle, Curtiss, Dungan, Irvine, Jackson of Clinton, Kelley, Krimmel, Lord, Owens, Richards, Sabine, Saltzgaber, Seitz, Sherrick, Stokes, Wagener, Williams and Wilson—19.

Those who voted in the negative were—

Messrs. Armstrong, Carson, Fisher, Forrest, Grove, Howland, Joy, Marsh, McDonald, Steedman and Tyler—11.

So the motion was agreed to.

S. B. No. 251—Mr. Saltzgaber—Supplementary to an act entitled an act relating to ditches, passed April 12, 1871, (O. L., Vol. 68, p. 60), and the acts supplementary thereto and amendatory thereof was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 24, nays none, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Carlisle, Curtiss, Dungan, Fisher, Forrest, Grove, Howland, Jackson of Clinton, Joy, Kelley, Krimmel, Marsh, McDonald, Richards, Sabine, Saltzgaber, Seitz, Stokes, Tyler, Wagener, Williams and Wilson—24.

So the bill passed. The title was agreed to.

H. B. No. 679—Mr. Wolf—For the relief of George Amerine—was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 25, nays 1, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Carlisle, Curtiss, Dungan, Fisher, Forrest, Grove, Howland, Irvine, Jackson of Clinton, Joy, Kelley, Lord, Marsh, McDonald, Richards, Sabine, Saltzgaber, Seitz, Steedman, Stokes, Tyler, Wagener and Wilson—25.

Mr. Owens voted in the negative.

So the bill passed. The title was agreed to.

Mr. Forrest moved that S. B. No. 199 be taken from the table.

Which was agreed to.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 16, nays 10, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Curtiss, Dungan, Forrest, Grove, Howland, Jackson of Clinton, Kelley, Lord, Marsh, McDonald, Owens, Richards, Sabine and Wilson—16.

Those who voted in the negative were—

Messrs. Carlisle, Carson, Fisher, Irvine, Joy, Saltzgaber, Seitz, Steedman, Stokes and Tyler—10.

So the bill, having failed to receive a constitutional majority, was lost.

Mr. Forrest submitted the following report :

The standing committee on Judiciary, to whom was referred S. B. No. 201—Creating the office of criminal bailiff, and to prescribe his duties in counties of the first class having a population of 180,000 and upwards—having had the same under consideration, report it back, with the following amendments, and recommend its passage when so amended :

Strike out on line 3, of section 1, the words "probate judge of such counties", and insert : "judge of the court of common pleas, who may preside in the criminal department of said court, at the time of the passage of this act.

W. T. FORREST,	IRVINE DUNGAN,
D. WAGENER,	G. M. SALTZGABER.

Said amendments were agreed to, and the bill was ordered to be engrossed and read the third time to-morrow.

Mr. Richards submitted the following report :

The joint committee on Enrollment have examined, and found correctly enrolled, the following bill :

H. B. No. 661—To authorize the township Trustees of Chardon township, Geauga county, to issue bonds and borrow money to construct a vault.

R. G. RICHARDS,	E. S. PERKINS,
C. F. KRIMMEL,	J. W. WASHBURN,
WM. JESSUP,	DUNCAN DOW,
IRVINE DUNGAN,	F. M. CARTER.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The House of Representatives has passed the following bill, in which the concurrence of the Senate is requested :

H. B. No. 601—Mr. Bohl—To amend section 46 of an act entitled an act for the reorganization and maintenance of common schools, passed May 1, 1873, (O. L., Vol. 70, p. 207.)

Attest :

L. A. BRUNNER, *Clerk.*

Said bill was read the first time.

Mr. Joy submitted the following report :

The standing committee on Military Affairs, to whom was referred S. B. No. 242—To authorize the City Council of the city of Cleveland to levy a tax for building an armory, and to transfer certain funds therein named temporarily to an armory fund—having had the same under consideration, report it back, with the following amendments, and recommend its passage when so amended :

In line 2, section 1, strike out "the city of Cleveland," and insert: "any city of the first class, second grade;" in line 4, section 1, strike out "said," and insert "such"; in line 6, section 1, strike out "said," and insert "such".

In line 1, section 2, strike out "said," and insert "such"; in line 3, section 2, strike out "said," and insert "such."

D. JOY,

J. M. CARSON,

THOS. S. JACKSON,

G. M. SALTZGABER,

GEO. P. TYLER.

Said amendments were agreed to, and the bill was ordered to be engrossed and read the third time to-morrow.

Mr. Marsh submitted the following report:

The standing committee on Municipal Corporations, to whom was referred H. B. No. 631 Supplementary to an act entitled an act to authorize the village Council of Mechanicsburg, Champaign county, Ohio, to levy a tax and issue bonds for building a town-hall, engine-room, and jail, and to authorize said Council to issue bonds and levy a tax—having had the same under consideration, report it back, and recommend its passage.

THEO. MARSH,

R. G. RICHARDS,

G. W. WILSON,

G. A. GROVE.

Said bill was ordered to be engrossed and read the third time to-morrow.

Mr. Marsh submitted the following report:

The standing committee on Municipal Corporations, to whom was referred H. B. No. 588—To amend the act passed May 14, 1878, entitled an act to amend, revise and consolidate the statutes relating to municipal corporations, to be known as title twelve, part one of the act to revise and consolidate the general statutes of Ohio, (O. L. Vol. 75, pp. 161-304)—having had the same under consideration, report it back, and recommend its passage.

THEO. MARSH,

G. A. GROVE,

R. G. RICHARDS,

G. W. WILSON.

Said bill was ordered to be engrossed and read the third time to-morrow.

Mr. Richards submitted the following report:

The standing committee on Municipal Corporations, to whom was referred H. B. No. 613—To authorize the Council of the incorporated village of Logan, Ohio, to transfer one thousand dollars from the sanitary and street fund of said village to the general expense fund—having had the same under consideration, report it back, and recommend its passage.

THEO. MARSH,

R. G. RICHARDS,

G. W. WILSON,

G. A. GROVE.

Said bill was ordered to be engrossed and read the third time to-morrow.

Mr. Richards submitted the following report:

The standing committee on Municipal Corporations, to whom was referred H. B. No. 742—To authorize the Council of the city of Tiffin, Ohio, to make a contract with the Tiffin Water-Works for a supply of water for fire and other purposes, for a period not exceeding twenty-five years, and to levy taxes to pay water rents to become due by terms of said contract—having had the same under consideration, report it back, and recommend its passage.

THEO. MARSH,

R. G. RICHARDS,

JAS. B. STEEDMAN,

G. W. WILSON.

Said bill was ordered to be engrossed and read the third time to-morrow. On demand of Mr. Forrest, a call of the Senate was had.

Messrs. Benson, Joy, Parker and Sherrick were absent.

Mr. Forrest moved that further proceedings under the call be dispensed with.

Which was agreed to.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The House of Representatives has concurred in the passage of the following bill :

S. B. No. 217—Mr. Grove—Supplementary to an act defining the powers and prescribing the duties of the Board of Public Works, passed May 14, 1878, (O. L., Vol. 75, p. 584)—with the following amendment, in which the concurrence of the Senate is requested :

Add after the word "officers", in line 7, the following: "and it shall require a majority of the votes of all the members of the board of public works, and said chief engineer, either to remove or appoint any of said officers".

Attest :

L. A. BRUNNER, *Clerk*.

The question being on concurring in House amendment, the yeas and nays were taken, and resulted—yeas 19, nays 6, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Carlisle, Carson, Fisher, Forrest, Grove, Irvine, Krimmel, Lord, Marsh, McDonald, Owens, Saltzgaber, Seitz, Steedman, Stokes, Tyler, Wagener and Williams—19.

Those who voted in the negative were—

Messrs Beebe, Curtiss, Kelley, Richards, Sabine and Wilson—6.

So said amendment was agreed to.

Mr. Richards submitted the following report :

The undersigned committee of Conference, appointed to consider the matters of difference between the two Houses in reference to S. J. R. No. 64, beg leave to report that they have agreed upon said matters of difference, and recommend the following :

SUBSTITUTE FOR S. J. R. NO. 64—MR. FORREST.

Resolved by the General Assembly of the State of Ohio: 1. Upon the introduction and first reading of any bill embodying printed matter prepared by the Commission to revise and consolidate the general statutes, the printing thereof shall be dispensed with.

2. Any amendments adopted by the branch of the General Assembly in which the bill is introduced, shall be printed in slips, with wide left margins, corresponding in type with that in which the bill is printed, and shall be pasted on the left margin, opposite the amended sections; and no other engrossment of the bill shall be required.

3. The foregoing rules shall apply to the branch in which such bill is originally introduced; and when a bill so engrossed is received in the other branch, it may take the same course, so far as applicable, or the ordinary course of bills, as such branch may order.

4. In addition to the standing committee of the two Houses, as now

constituted, there shall be a joint committee appointed by the presiding officers of the respective Houses, of seven members on the part of the Senate, and seven members on the part of the House, to be known as the joint committee on Consolidated Laws, and to which shall be referred all bills introduced from the Codifying Commission, in the manner provided in the following sections, as well as the parts of the general code heretofore passed, together with copies of all laws of a general nature (to be furnished by the Enrolling Clerk), passed at the present session, which shall be by said joint committee, in connection with the Codifying Commission, arranged in their proper place in the code.

5. When, during the session, any part of the codified work heretofore completed or reported at this session by the Codifying Commission, has been finally passed, instead of being enrolled, it shall, on motion, be reconsidered, on which motion to reconsider there shall be no debate. If said motion prevails, such bill shall, without motion or vote, be referred to the joint committee on Consolidated Laws; but all laws of a general nature that shall be passed at the present session, and that should be put into the revised statutes, shall, before being deposited in the office of the Secretary of State, be copied, which copy shall also be referred to the joint committee on Consolidated Laws.

6. The powers and duties of said joint committee shall be confined to arranging the laws and numbering the sections, and they shall have no power to change, alter or amend any of the work so referred to them. After the final passage of the bill prepared by said joint committee, in connection with the Codifying Commission it shall be revised and enrolled as other laws under the joint rules now existing of the General Assembly.

7. When said joint committee shall have reported such consolidated laws to either House, no other business shall be done in said House after the third reading, until completed and passed thereby; and when transmitted to the other branch of the General Assembly, they shall, in like manner, after the third reading, receive exclusive consideration until completed and passed.

8. The rules heretofore adopted by either branch of the General Assembly, or by both branches, are hereby rescinded, in so far as the same are applicable to such bills at the stages herein named, and the joint rules governing bills prepared by the Codifying Commission are hereby rescinded.

J. G. MEUSER,
JNO. W. WASHBURN,
CHARLES TOWNSEND.
Committee on part of the House.

W. T. FORREST,
H. W. CURTISS,
JNO. C. FISHER.
Committee on part of the Senate.

Said report was agreed to.

The question being on the adoption of the substitute for said joint resolution, as reported by the Conference committee, the yeas and nays were taken, and resulted—yeas 26, nays none, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Carson, Curtiss, Dungan, Fisher, Forrest,

Grove, Howland, Irvine, Jackson of Clinton, Joy, Kelley, Marsh, McDonald, Owens, Richards, Sabine, Saltzgaber, Seitz, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—26.

So the joint resolution was adopted.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bill, in which the concurrence of the Senate is requested:

H. B. No. 657—Mr. Marsh—To amend an act known as title one, crimes and offenses, part four of the act to revise and consolidate the general statutes of Ohio, passed May 5, 1877, (O. L., Vol. 74, p. 240).

Attest:

L. A. BRUNNER, *Clerk*.

Said bill was read the first time.

Mr. Wilson offered the following resolution, which was adopted:

S. R. No. 81: *Be it resolved by the Senate*, That the standing committee on State Buildings be required to investigate the cause of the impure and noxious atmosphere of the Senate Chamber, and to cause the same to be removed.

On motion of Mr. Steedman, the Senate adjourned.

Attest:

ALLEN O. MYERS, *Clerk*.

FRIDAY, *February* 7, 1879—10 o'clock, A.M.

The Senate met pursuant to adjournment.

Prayer by Rev. S. G. Hopkins.

The Journal was read and approved.

Bills were read the second time and referred, as follows:

H. B. No. 601—Mr. Bohl—To amend section forty-six of an act entitled an act for the reorganization and maintenance of common schools, passed May 1, 1873, (O. L., Vol. 70, p. 207).

Committee on Common Schools and School Lands.

H. B. No. 657—Mr. Marsh—To amend an act known as title one, crimes and offenses, part four of the act to revise and consolidate the general statutes of Ohio, passed May 5, 1877, (O. L., Vol. 74, p. 240).

Committee on Fish Culture and Game.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The Speaker of the House of Representatives has, in the presence of the House, signed the following bill:

H. B. No. 661—Mr. Hitchcock—To authorize the township Trustees of Chardon township, Geauga county, to issue bonds and borrow money to construct a vault.

Attest:

L. A. BRUNNER, *Clerk*.

The President, in presence of the Senate, signed said bill.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The House of Representatives has passed the following bills, in which the concurrence of the Senate is requested :

H. B. No. 628—Mr. Parker—To prevent the killing or injuring of quail or Virginia partridge, and prairie chickens.

H. B. No. 567—Mr. Wright—To punish improper familiarity with female pupils.

Attest :

L. A. BRUNNER, *Clerk.*

Said bills were read the first time.

S. B. No. 201—Mr. Armstrong—Creating the office of criminal bailiff, and to prescribe his duties in counties of the first class having a population of 180,000 and upwards—was read the third time.

On demand of Mr. Armstrong, a call of the Senate was had.

Messrs. Benson, Carlisle, Howland, Krimmel and Steedman were absent.

Mr. Armstrong moved that the Sergeant-at-Arms be dispatched for absentees.

Which was agreed to.

Messrs. Krimmel and Howland appeared within the bar of the Senate, and answered to their names.

Mr. Richards moved that further proceedings under the call be dispensed with.

Which was disagreed to.

Mr. Steedman appeared within the bar of the Senate, and answered to his name.

Mr. Forrest moved that further proceedings under the call be dispensed with.

Which was agreed to.

Mr. Curtiss moved to refer the bill to a select committee of one, with instructions to amend as follows :

After the word "upwards", in line 3, section 1, add the words: "at the last federal census."

Which was agreed to, and Mr. Curtiss was appointed such committee, and reported the bill back amended as instructed.

Mr. Howland moved to refer the bill to a select committee of one, with instructions to amend as follows :

In line 1, section 2, strike out the word "instead," and insert the words "under the instructions."

On which motion the yeas and nays were demanded, taken, and resulted—yeas 8, nays 22, as follow :

Those who voted in the affirmative were—

Messrs. Beebe, Curtiss, Howland, Jackson of Clinton, Kelley, Richards, Sabine and Wilson -- 8.

Those who voted in the negative were—

Messrs. Armstrong, Carlisle, Carson, Dungan, Fisher, Forrest, Grove, Irvine, Joy, Krimmel, Lord, Marsh, McDonald, Owens, Saltzgaber, Seitz, Sherrick, Steedman, Stokes, Tyler, Wagener and Williams—22.

So the motion was disagreed to.

Mr. Richards moved to refer the bill to a select committee of one, with instructions to amend as follows :

Strike out all of section 1, after the word "office", in line 5, and add the following: "until his successor is elected and qualified; such election to

take place at the general fall election on the second Tuesday of October, 1879, and every two years thereafter”.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 7, nays 24, as follow :

Those who voted in the affirmative were—

Messrs. Beebe, Howland, Jackson of Clinton, Kelley, Richards, Sabine and Wilson—7.

Those who voted in the negative were—

Messrs. Armstrong, Carlisle, Carson, Curtiss, Dungan, Fisher, Forrest, Grove, Irvine, Joy, Krimmel, Lord, Marsh, McDonald, Owens, Parker, Saltzgaber, Seitz, Sherrick, Steedman, Stokes, Tyler, Wagener and Williams—24.

So the motion was disagreed to.

The question being “Shall the bill pass?” the yeas and nays were taken, and resulted—yeas 23, nays 8, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Carlisle, Carson, Dungan, Fisher, Forrest, Grove, Irvine, Joy, Krimmel, Lord, Marsh, McDonald, Owens, Parker, Saltzgaber, Seitz, Sherrick, Steedman, Stokes, Tyler, Wagener and Williams - 23.

Those who voted in negative were—

Messrs. Beebe, Curtiss, Howland, Jackson of Clinton, Kelley, Richards, Sabine and Wilson— 8.

So the bill passed. The title was agreed to.

S. B. No. 242—Mr. Curtiss—To authorize the City Council of the city of Cleveland to levy a tax for building an armory, and to transfer certain funds therein named temporarily to an armory fund—was read the third time.

The question being “Shall the bill pass?” the yeas and nays were taken, and resulted—yeas 23, nays none, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Carlisle, Curtiss, Dungan, Forrest, Grove, Howland, Jackson of Clinton, Joy, Kelley, Krimmel, Lord, Marsh, McDonald, Owens, Sherrick, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—23.

So the bill passed. The title was agreed to.

H. B. No. 631—Mr. Cowgill—Supplementary to an act entitled an act to authorize the village Council of Mechanicsburg, Champaign county, Ohio, to levy a tax and issue bonds for building a town-hall, engine-room and jail, and to authorize said Council to issue bonds and levy a tax—was read the third time.

The question being “Shall the bill pass?” the yeas and nays were taken, and resulted—yeas 25, nays none, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Carlisle, Carson, Curtiss, Dungan, Fisher, Grove, Howland, Irvine, Jackson of Clinton, Joy Kelley, Lord, Marsh, McDonald, Parker, Sabine, Saltzgaber, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—25.

So the bill passed. The title was agreed to.

H. B. No. 588—Mr. Wright—To amend the act passed May 14, 1878, entitled an act to amend, revise and consolidate the statutes relating to municipal corporations, to be known as title twelve, part one of the act to revise and consolidate the general statutes of Ohio, (Vol. 75, O. L., pp. 161–304)—was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 24, nays none, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Carlisle, Curtiss, Dungan, Fisher, Forrest, Grove, Irvine, Jackson of Clinton, Joy, Kelley, Lord, Marsh, McDonald, Owens, Saltzgaber, Sherrick, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—24.

So the bill passed. The title was agreed to.

H. B. No. 742—Mr. Norton—To authorize the Council of the city of Tiffin, Ohio, to make a contract with the Tiffin Water-Works for a supply of water for fire and other purposes, for a period not exceeding twenty-five years, and to levy taxes to pay the water rents to become due by the terms of said contract—was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 28, nays none, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Carlisle, Carson, Curtiss, Dungan, Fisher, Forrest, Grove, Howland, Jackson of Clinton, Joy, Kelley, Lord, Marsh, McDonald, Owens, Parker, Sabine, Saltzgaber, Seitz, Sherrick, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—28.

So the bill passed. The title was agreed to.

H. B. No. 613—Mr. Wolf—To authorize the Council of the incorporated village of Logan, Ohio, to transfer one thousand dollars from the sanitary and street fund of said village to the general expense fund—was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 24, nays none, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Carlisle, Carson, Curtiss, Dungan, Fisher, Forrest, Grove, Jackson of Clinton, Kelley, Lord, Marsh, McDonald, Owens, Parker, Saltzgaber, Sherrick, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—24.

So the bill passed. The title was agreed to.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The following bills have been introduced in the House of Representatives, and read the first time :

H. B. No. 753—Mr. Dodds.—Supplementary to the act of May 14, 1878, entitled an act to amend, revise and consolidate the statutes relating to municipal corporations, to be known as title twelve, part one of the act to revise and consolidate the general statutes of Ohio, (Vol. 75, p. 161).

H. B. No. 754—Mr. Wright—To repeal section six, of sub-division one, chapter thirteen, of division eight, of title twelve of an act entitled an act to amend, revise and consolidate the statutes relating to municipal corporations, to be known as title twelve, part one of the act to revise and consolidate the general statutes of Ohio.

H. B. No. 755—Mr. Greene—To provide for indexing the land records of Greene county.

H. B. No. 756—Mr. Luccock—To authorize the Commissioners of Guernsey county to build a Court-house.

H. B. No. 757—Mr. Covert—To prevent lawyers from charging fees for procuring pardons.

H. B. No. 758—Mr. Groschner—To enable the Commissioners of Henry county to borrow money to rebuild a bridge over the Maumee river, at Napoleon, destroyed by the recent flood.

Attest:

L. A. BRUNNER, *Clerk*.

Mr. Forrest arose to a question of privilege, stating that a malicious article had appeared in a paper of this city, charging the Clerk of the Senate with the larceny of certain Senate furniture, and as the officer, in justice to himself and the Senate, desired an investigation offered the following resolution, which was adopted:

S. R. No. 82: WHEREAS, A malicious charge has been made by a paper of the city of Columbus, charging Allen O. Myers, Clerk of the Senate, with having abstracted furniture from the Senate Chamber, belonging to the State of Ohio, and with other acts of a felonious nature; therefore,

Resolved, That these charges be, and are hereby referred to the committee heretofore appointed by the Senate, to look after missing furniture, with authority to send for persons and papers.

Mr. Carson submitted the following report:

The committee on Revision has examined, and found correctly engrossed, S. B. No. 242, by Mr. Curtiss.

J. M. CARSON,
G. M. SALTZGABER,
J. C. FISHER.

On motion of Mr. Marsh, the Senate took a recess.

THREE O'CLOCK P.M.

Mr. Dungan, on leave, introduced the following bill, which was read the first time:

S. B. No. 256—To revise and consolidate the statutes relating to county officers.

On motion of Mr. Steedman, a call of the Senate was had.

Messrs. Carlisle, Irvine, Joy, Kelley, Krimmel, Lord, McDonald, Parker, Saltzgaber and Sherriek were absent.

Mr. Steedman moved that the Sergeant-at-Arms be dispatched for the absentees.

Which was agreed to.

Messrs. Joy, Sherriek, Parker and McDonald appeared within the bar of the Senate, and answered to their names.

Mr. Steedman moved that further proceedings under the call be dispensed with.

Which was agreed to.

Mr. Steedman moved that the constitutional rule, requiring bills to be read on three different days, be suspended, that H. B. No. 758 may be read the second time.

On which motion the yeas and nays were taken, and resulted—yeas 30, nays none, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Benson, Carson, Curtiss, Dungan, Fisher, Forrest, Grove, Howland, Irvine, Jackson of Clinton, Joy, Kelley, Krimmel, Lord, Marsh, McDonald, Owens, Parker, Richards, Sabine, Seitz,

Sherrick, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—30.

So the motion was agreed to.

Mr. Steedman moved that the constitutional rule, requiring bills to be read on three different days, be suspended, that H. B. No. 758 may be read the third time.

On which motion the yeas and nays were taken, and resulted—yeas 31, nays none, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Benson, Carlisle, Carson, Curtiss, Dungan, Fisher, Forrest, Grove, Howland, Irvine, Jackson of Clinton, Joy, Kelley, Krimmel, Lord, Marsh, McDonald, Owens, Parker, Richards, Sabine, Seitz, Sherrick, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—31.

So the motion was agreed to.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 29, nays none, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Benson, Carlisle, Curtiss, Dungan, Fisher, Forrest, Grove, Irvine, Jackson of Clinton, Joy, Kelley, Krimmel, Lord, Marsh, McDonald, Owens, Parker, Richards, Sabine, Seitz, Sherrick, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—29.

So the bill passed. The title was agreed to.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The House of Representatives has passed the following bill, in which the concurrence of the Senate is requested :

H. B. No. 758—Mr. Groschner—To enable the Commissioners of Henry county, Ohio, to borrow money to rebuild a bridge over the Maumee river, at Napoleon, Ohio, destroyed by the recent flood.

Attest :

L. A. BRUNNER, *Clerk.*

Said bill was read the first time.

Mr. Sherrick, on leave, introduced the following bill, which was read the first time :

S. B. No. 257—Prescribing the rate of State taxes, and to repeal an act therein named.

Mr. Beebe, on leave, introduced the following bill, which was read the first time.

S. B. No. 258—To create a special school district in Windham township, Portage county, Ohio.

Mr. Carson submitted the following report :

The committee on Revision has examined, and found correctly engrossed, S. B. No. 201.

J. M. CARSON,
J. C. FISHER.

Mr. Beebe, on leave, introduced the following bill, which was read the first time :

S. B. No. 259—To authorize the Council of the city of Akron, Summit county, to levy a tax for building an armory.

Mr. Jackson of Clinton, on leave, introduced the following bill, which was read the first time :

S. B. No. 260—To authorize the creation of an additional school sub-district in Beaver Creek township, Greene county, Ohio.

Mr. Sherrick submitted the following report:

The standing committee on Finance, to whom was referred H. B. No. 680—To authorize the township Trustees of Perry township, Logan county, to transfer certain funds—having had the same under consideration, report it back, and recommend its passage.

J. SHERRICK,	IRVINE DUNGAN,
H. W. CURTISS,	JOHN SEITZ,
J. M. CARSON,	H. C. LORD.

Said bill was ordered to be engrossed and read the third time on Tuesday next.

Mr. Forrest submitted the following report:

The standing committee on Judiciary, to whom was referred S. B. No. 240—To amend an act passed February 24, 1876, entitled an act to amend sections three and four of an act entitled an act to provide for the election and qualification of the Clerk of the Supreme Court of Ohio, and prescribing the duties and fixing the compensation of such clerk, passed March 29, 1865, (75 Vol., 12)—having had the same under consideration, report it back, and recommend its indefinite postponement.

W. T. FORREST,	D. WAGENER,
G. M. SALTZGABER,	IRVINE DUNGAN.

Said report was agreed to.

Mr. Forrest submitted the following report:

The standing committee on Judiciary, to whom was referred S. B. No. 236—To amend section eleven, of chapter one, division eight of an act entitled an act to amend, revise and consolidate the statutes relating to municipal corporations, to be known as title twelve, part one of the act to revise and consolidate the general statutes of Ohio—having had the same under consideration, report it back, and recommend its passage.

W. T. FORREST,	D. WAGENER,
IRVINE DUNGAN,	G. M. SALTZGABER.

Said bill was ordered to be engrossed and read the third time tomorrow.

Mr. Forrest submitted the following report:

The standing committee on Judiciary, to whom was referred S. B. No. 241—To amend section six, chapter five, title two of an act entitled an act to amend, revise and consolidate the statutes relating to criminal procedure, (O. L., Vol. 74, p. 340)—having had the same under consideration, report it back, and recommend its passage.

W. T. FORREST,	G. M. SALTZGABER,
IRVINE DUNGAN,	D. WAGENER.

Said bill was ordered to be engrossed and read the third time now, and was then read.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 21, nays 2, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Benson, Carson, Curtiss, Dungan, Fisher, Forrest, Grove, Irvine, Joy, Krimmel, Lord, Marsh, McDonald, Seitz, Stokes, Tyler, Wagener, Williams and Wilson—21.

Messrs. Howland and Kelley voted in the negative.

So the bill passed. The title was agreed to.

Mr. Dungan submitted the following report:

The standing committee on Judiciary, to whom was referred S. B. No. 231—Supplementary to an act to amend an act to amend an act to authorize the making of real estate indexes, and to further prescribe the duties of county Commissioners and Recorders in certain counties, passed March 20, 1862; passed April 17, 1867, (Sayler, p. 1422)—having had the same under consideration, report it back, with the following amendments, and recommend its passage when so amended:

In line 2, strike out "cases", and insert "counties"; and in the same line strike out "are made", and insert: "and abstracts are made by lots or sections or subdivisions thereof"; and in line 7, strike out "ten" and insert "five."

IRVINE DUNGAN, W. T. FORREST,
W. P. HOWLAND, G. M. SALTZGABER.

Said amendment was agreed to, and the bill was ordered to be engrossed and read the third time to-morrow.

Mr. Marsh submitted the following report:

The standing committee on Municipal Corporations, to whom was referred H. B. No. 614—Supplementary to an act to amend, revise and consolidate the statutes relating to municipal corporations, to be known as title twelve, part one of the act to revise and consolidate the general statutes of Ohio, passed May 11, 1878, (O. L., 75, p. 314)—having had the same under consideration, report it back, and recommend its passage.

THEO. MARSH, G. M. SALTZGABER,
R. G. RICHARDS, G. A. GROVE.
G. W. WILSON,

Said bill was ordered to be engrossed and read the third time now, and was then read.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 27, nays none, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Benson, Carlisle, Carson, Curtiss, Dungan, Fisher, Grove, Howland, Irvine, Jackson of Clinton, Joy, Kelley, Krimmel, Lord, Marsh, McDonald, Parker, Richards, Sabine, Sherrick, Stokes, Tyler, Wagener, Williams and Wilson—27.

So the bill passed. The title was agreed to.

Mr. Marsh submitted the following report:

The standing committee on Municipal Corporations, to whom was referred H. B. No. 596—To provide for a supply of water for fire and other purposes, in certain cities of the second class—having had the same under consideration report it back, with the following amendments, and recommend its passage when so amended:

In section 1, line 6, strike out the word "authorize," and insert the word "organized."

After the word "of," in line 12, of section 2, insert the words "all the votes cast at said election shall be"; and strike out from same line the words "said electors vote." Add at the end of line 20, section 2, the words "and council shall have the right to reject any and all bids."

THEO. MARSH, R. G. RICHARDS,
G. W. WILSON, G. A. GROVE.
JAS. B. STEEDMAN,

Said amendments were agreed to, and the bill was ordered to be engrossed and read the third time Monday next.

Mr. Sherrick offered the following resolution :

S. R. No. 83 : *Resolved*, That the use of the Senate Chamber be granted to the society of veterans of the Mexican war, for the 22d of February, 1879, for their reunion to be held in this city on that day.

Mr. Owens raised to a point of order, and claimed if there was a single objection the resolution could not be adopted.

Mr. Sherrick moved that the rules of the Senate be suspended.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 19, nays 7, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Benson, Carlisle, Dungan, Grove, Jackson of Clinton, Kelley, McDonald, Parker, Richards, Sabine, Saltzgaber, Seitz, Sherrick, Stokes, Tyler, Williams and Wilson—19.

Those who voted in the negative were—

Messrs. Carson, Fisher, Forrest, Krimmel, Lord, Owens and Wagener—7.

So the motion was agreed to.

The question being on the adoption of the resolution, the yeas and nays were taken, and resulted—yeas 17, nays 10, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Benson, Carlisle, Dungan, Howland, Jackson of Clinton, Kelley, McDonald, Parker, Richards Saltzgaber, Sherrick, Stokes, Tyler, Williams and Wilson—17.

Those who voted in the negative were—

Messrs. Carson, Curtiss, Fisher, Forrest, Grove, Krimmel, Lord, Owens, Seitz and Wagener—10.

So the resolution was adopted.

Mr. Marsh, on leave, introduced the following bill, which was read the first time :

S. B. No. 261—For the protection of candidates.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The following bills have been introduced in the House of Representatives, and read the first time :

H. B. No. 759—Mr. Sextro— To change the name of Carthage road, in Hamilton county, to Carthage avenue, and to authorize the Board of Commissioners of said county to levy a tax to pay the expense of making said avenue its full width to an established grade from Center street in Carthage to Cincinnati.

H. B. No. 760—Mr. Sextro— To amend section five, of chapter eleven, division eight of an act entitled an act to amend, revise and consolidate the statutes relating to municipal corporations, to be known as title twelve, part one of the act to revise and consolidate the general statutes, passed May 14, 1878.

H. B. No. 761—Mr. Baker—To dissolve a joint sub-district, and to attach territory to a special school district.

H. B. No. 762—Mr. Seifert—To authorize the Council of the city of Lancaster to issue bonds for the erection of city buildings.

H. B. No. 763—Mr. Levering—To amend section one of an act to authorize the creation of a special school district in Canaan township,

Morrow county, (Vol. 75, pp. 1161-1162), passed and took effect May 13, 1878.

H. B. No. 764—Mr. Sage—Supplementary to an act entitled an act to provide for the straightening, cleaning out, widening, deepening and otherwise improving certain ditches, drains and water-courses in Wood county, Ohio, passed April 11, 1876, (Vol. 63, p. 303).

H. B. No. 765—Mr. Johnson—To amend section twenty-eight, of chapter seven of an act entitled an act to revise and consolidate the laws relating to the redemption of delinquent lands sold for taxes, passed May 11, 1878, (Vol. 75, p. 487).

H. B. No. 766—Mr. Bloom—To authorize the Register of Virginia Military School Lands at Mansfield, Ohio, to close the business of his office.

H. B. No. 767—Mr. Sextro—Declaring certain persons ineligible to office under the authority of the State of Ohio.

H. B. No. 768—Mr. Hayman—To amend an act passed May 7, 1878, entitled an act to revise and consolidate the laws relating to procedure in the Probate Court, (Vol. 75, p. 836).

H. B. No. 769—Mr. Oglevee—To amend section seventy-seven, of chapter two of an act entitled an act to revise and consolidate the laws relating to Probate Courts.

Attest:

L. A. BRUNNER, *Clerk*.

Mr. Krimmel presented the petition of the City Council of Columbus and 500 other citizens of Franklin county, praying for an appropriation from the State for making improvements on streets and pavements adjoining State property.

Which was referred to the committee on Claims.

On motion of Mr. Benson, the Senate adjourned.

Attest:

ALLEN O. MYERS, *Clerk*.

SATURDAY, *February* 8, 1879—10 o'clock A.M.

The Senate met pursuant to adjournment.

Prayer by Rev. S. G. Hopkins.

The Journal was read and approved.

Mr. Beebe presented the petition of E. F. Jagger and 46 other citizens of Windham, Portage county, asking that a special school district be established at Windham Centre.

Which was referred to the committee on Common Schools and School Lands.

Mr. Beebe presented the remonstrance of E. L. Woodworth and 154 other citizens of Windham, Portage county, against establishing a special school district at Windham Centre.

Which was referred to the committee on Common Schools and School Lands.

Bills were read the second time and referred, as follows:

H. B. No. 628—Mr. Parker—To prevent the killing or injuring of quail or Virginia partridge, and prairie chickens.

Committee on Fish Culture and Game.

H. B. No. 567—Mr. Wright—To punish improper familiarity with female pupils and teachers.

Committee on the Judiciary.

S. B. No. 256—Mr. Dungan—To revise and consolidate the statutes relating to county officers.

Committee on the Judiciary.

S. B. No. 257—Mr. Sherrick—Prescribing the rates of State taxes, and to repeal an act therein named.

Committee on Finance.

S. B. No. 258—Mr. Beebe—To create a special school district in Windham township, Portage county, Ohio.

Committee on Common School and Schools Lands.

S. B. No. 259—Mr. Beebe—To authorize the Council of the city of Akron, Summit county, to levy a tax for building an armory.

Committee on Military Affairs.

S. B. No. 260—Mr. Jackson of Clinton—To authorize the creation of an additional school sub-district in Beaver Creek township, Greene county, Ohio.

Committee on Common Schools and School Lands.

S. B. No. 261—Mr. Marsh—For the protection of candidates.

Committee on Municipal Corporations.

S. B. No. 236 Mr. Richards—To amend section eleven, of chapter one, division eight of an act entitled an act to amend, revise and consolidate the statutes relating to municipal corporations, to be known as title twelve, part one of the act to revise and consolidate the general statutes of Ohio—was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 23, nays none, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Carlisle, Carson, Curtiss, Dungan, Fisher, Forrest, Grove, Howland, Jackson of Clinton, Joy, Kelley, Lord, Marsh, Parker, Richards, Sabine, Steedman, Tyler, Wagener, Williams and Wilson—23.

So the bill passed. The title was agreed to.

Mr. Richards moved that S. B. No. 231 be laid on the table.

Which was agreed to.

The following bills were introduced, and read the first time:

S. B. No. 262—Mr. Williams—To amend the act of May 5, 1877, entitled an act to amend, revise and consolidate the statutes relating to crimes and offenses, and to repeal certain acts therein named, to be known as title one, crimes and offenses, part four of the act to revise and consolidate the general statutes of Ohio, (Vol. 74, O. L., p. 240).

S. B. No. 263—Mr. Beebe—To amend an act entitled an act to amend section five of an act entitled an act making provisions for the incorporation of county associations, passed February 24, 1848, passed March 29, 1875, (O. L., Vol. 72, p. 113).

S. B. No. 264—Mr. Forrest—To amend section five, of chapter two, of division three of an act to amend, revise and consolidate the statutes relating to municipal corporations, to be known as title twelve, part one of the act to revise and consolidate the general statutes of Ohio, passed May 14, 1878, (O. L., Vol. 75, p. 192).

S. B. No. 265—Mr. Forrest—To amend section seven, chapter five, division four of an act to revise and consolidate the laws relating to

civil procedure in Courts of Common Pleas and Superior Courts, in District Courts on appeal, and also the laws relating to procedure in error, mandamus and quo warranto, passed May 14, 1878, (O. L., Vol. 75, p. 667).

Mr. Forrest submitted the following report :

The standing committee on Judiciary, to whom was referred H. B. No. 111—To provide for Courts of Conciliation with respect to contracts and controversies concerning the productive industries of the State of Ohio, and to prevent strikes—having had the same under consideration, report it back, and recommend its indefinite postponement.

W. T. FORREST,	D. WAGENER,
W. P. HOWLAND,	IRVINE DUNGAN.

Said report was agreed to.

Mr. Forrest submitted the following report :

The standing committee on Judiciary, to whom was referred H. B. No. 646—Supplementary to the act of May 14, 1878, entitled an act to revise and consolidate the laws relating to civil procedure in Courts of Common Pleas and Superior Courts, in District Courts on appeal, and also the laws relating to procedure in error, mandamus and quo warranto.—having had the same under consideration, report it back, and recommend its passage.

W. T. FORREST,	W. P. HOWLAND,
D. WAGENER,	IRVINE DUNGAN.

Said bill was ordered to be engrossed and read the third time on Tuesday next.

Mr. Grove presented the remonstrance of John A. Schuester and 400 other citizens of Montgomery county, remonstrating against any change in the present school laws, especially in relation to creating county superintendents.

Which was referred to the committee on Common Schools and School Lands.

Mr. Richards submitted the following report :

The standing committee on Common Schools and School Lands, to whom was referred S. B. No. 204—To discontinue schools in districts where the average daily attendance shall fall below a number therein specified—having had the same under consideration, report it back, and recommend its passage.

R. G. RICHARDS,	D. WAGENER,
G. A. GROVE,	H. C. LORD.

Said bill was ordered to be engrossed and read the third time on Tuesday next.

Mr. Steedman, on leave, introduced the following bills, which were read the first time :

S. B. No. 266—To authorize cities of the first-class to borrow money for the purchase and improvement of park-grounds.

S. B. No. 267—To provide for the redemption of lands sold at judicial sales.

Mr. Joy moved that the Senate adjourn.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 11, nays 12, as follow :

Those who voted in the affirmative were—

Messrs. Fisher, Forrest, Joy, Kelley, Lord, Marsh, Richards, Steedman, Tyler, Williams and Wilson—11.

Those who voted in the negative were—

Messrs. Beebe, Benson, Carlisle, Carson, Curtiss, Dungan, Grove, Howland, Owens, Parker, Sabine and Seitz—12.

So the motion was disagreed to.

On demand of Mr. Fisher, a call of the Senate was had.

Messrs. Johnston, Krimmel, McDonald, Saltzgaber, Sherrick and Stokes were absent.

Mr. Joy moved that the Sergeant-at-Arms be dispatched for absentees.

Which was agreed to.

Leave of absence was asked and obtained for Messrs. Stokes, McDonald, Krimmel and Johnston until Monday next.

Leave of absence was asked and obtained for Mr. Saltzgaber until Tuesday next.

Mr. Fisher moved that further proceedings under the call be dispensed with.

Which was agreed to.

Mr. Carson moved that the Senate take a recess until 2 o'clock P.M.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 7, nays 19, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Benson, Carlisle, Carson, Dungan, Grove and Irvine—7.

Those who voted in the negative were—

Messrs. Beebe, Curtiss, Fisher, Forrest, Howland, Jackson of Clinton, Joy, Kelley, Lord, Marsh, Owens, Parker, Richards, Sabine, Steedman, Tyler, Wagener, Williams and Wilson—19.

So the motion was disagreed to.

On motion of Mr. Joy, the Senate adjourned.

Attest:

ALLEN O. MYERS, *Clerk.*

MONDAY, *February* 10, 1879—10 o'clock A.M.

The Senate met pursuant to adjournment.

Prayer by Rev. I. F. Stidham.

The Journal was read and approved.

Mr. Joy, on leave, offered the following resolution, which was adopted:

S. R. No. 84: *Resolved*, That the standing committee on Penitentiary be instructed to examine into the quality of gas manufactured at the Penitentiary, and report the result of their investigation to the Senate, and that for the purpose of making a proper investigation, they be authorized to employ a competent expert in the manufacture of gas.

Bills were read the second time and referred, as follows:

S. B. No. 262—Mr. Williams—To amend the act of May 5, 1877, entitled an act to amend, revise and consolidate the statutes relating to crimes and offenses, and to repeal certain acts therein named, to be known as title one, crimes and offenses, part four of the act to revise and consolidate the general statutes of Ohio, (Vol. 94, O. L., p. 240).

Committee on the Judiciary.

S. B. No. 263—Mr. Beebe—To amend an act entitled an act to amend section five of an act entitled an act making provisions for the incorpora-

tion of cemetery associations, passed February 24, 1848, amended and passed March 29, 1875, (O. L., Vol. 72, p. 113).

Committee on the Judiciary.

S. B. No. 264—Mr. Forrest—To amend section five, of chapter two, of division three of an act to amend, revise and consolidate the statutes relating to municipal corporations, to be known as title twelve, part one of the act to revise and consolidate the general statutes of Ohio, passed May 14, 1878, (75, O. L., 192).

Committee on Municipal Corporations.

S. B. No. 265—Mr. Forrest—To amend section seven, chapter one, division four of an act to revise and consolidate the laws relating to civil procedure in Courts of Common Pleas and Superior Courts, in District Courts on appeal, and also the laws relating to procedure in error, mandamus and quo warranto, passed May 14, 1878, (75, O. L., 669).

Committee on the Judiciary.

S. B. No. 266—Mr. Steedman—To authorize cities of the first-class to borrow money for the purchase and improvement of park-grounds.

Committee on Municipal Corporations.

H. B. No. 596—Mr. Clough To provide for a supply of water for fire and other purposes, in certain cities of the second class—was read the third time.

On motion of Mr. Lord, said bill was laid on the table.

Mr. Kelley, on leave, introduced the following bill, which was read the first time:

S. B. No. 268—To create a special school district in Upper township, Lawrence county, Ohio.

Mr. Curtiss offered the following resolution, which was adopted:

S. R. No. 85: *Resolved*, That the standing committee on State Buildings be instructed to ascertain upon what terms the Columbus Gas Company will supply gas for this State building during the session of the present General Assembly, and report the result to this Senate at as early a day as possible.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The following bills have been introduced in the House of Representatives, and read the first time:

H. B. No. 770 Mr. Dodds—To define life-insurance within the State of Ohio.

H. B. No. 771—Mr. Dodds—To amend the act of April 24, 1877, entitled an act supplementary to the act relating to cities of the first class having a population exceeding one hundred thousand inhabitants, passed May 4, 1869, (Vol. 74, p. 115.)

H. B. No. 772—Mr. Turner—To authorize an amicable action against the State by Jonathan Kinney and Jno. L. Winner.

H. B. No. 773—Mr. Quinby—To authorize the village Council of the incorporated village of Clarksville, Clinton county, Ohio, to levy a tax and issue bonds to raise money to build a Mayor's office and corporation prison.

Attest:

L. A. BRUNNER, *Clerk.*

Mr. Richards submitted the following report :

The joint committee on Enrollment have examined, and found correctly enrolled, the following bills:

H. B. No. 614—Supplementary to an act to amend, revise and consolidate the statutes of Ohio, relating to municipal corporations, to be known as title twelve, part one of the act to revise and consolidate the general statutes of Ohio, passed May 11, 1878, (O. L., 75.)

H. B. No. 679—For the relief of George Amarine.

H. B. No. 631—Supplementary to an act entitled an act to authorize the village Council of Mechanicsburg, Champaign county, Ohio, to levy a tax and issue bonds to build a town-hall, engine-room, and jail.

H. B. No. 613—To authorize the Council of the incorporated village of Logan, Ohio, to transfer one thousand dollars from the sanitary and street fund of said village to the general expense fund.

A. D. MARSH,	E. S. PERKINS,
J. W. WASHBURN,	R. G. RICHARDS.
F. M. CARTER,	

On motion of Mr. Lord, the Senate took a recess.

THREE O'CLOCK P.M.

Leave of absence was asked and obtained for the committee on Reform School and Industrial School for Girls, for this afternoon and to-morrow; also, for Mr. Williams for the same time.

Mr. Richards submitted the following report :

The joint committee on Enrollment have examined, and found correctly enrolled, the following bills:

H. B. No. 742—To authorize the Council of the city of Tiffin, Ohio, to make a contract with the Tiffin Water-Works for a supply of water for fire and other purposes, for a period not exceeding twenty-five years, and to levy taxes to pay water rents to become due by terms of said contract.

H. B. No. 758—To enable the Commissioners of Henry county, Ohio, to borrow money to rebuild a bridge over the Maumee river, at Napoleon, Ohio, destroyed by the recent flood.

J. W. WASHBURN.	F. M. CARTER,
E. S. PERKINS,	A. D. MARSH.
C. R. HARMON,	WM. JESSUP.
R. G. RICHARDS,	

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The Speaker of the House of Representatives has, in the presence of the House, signed the following bills:

H. B. No. 758—Mr. Groschner—To enable the Commissioners of Henry county, Ohio, to borrow money to rebuild a bridge over the Maumee river, at Napoleon, Ohio, destroyed by the recent flood.

H. B. No. 742 Mr. Norton—To authorize the Council of the city of Tiffin, Ohio, to make a contract with the Tiffin Water-Works for a supply of water for fire and other purposes, for a period not exceeding twenty-five years, and to levy taxes to pay water rents to become due by terms of said contract.

Attest:

L. A. BRUNNER, *Clerk.*

The President *pro tem.*, in presence of the Senate, signed said bills.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has concurred in the passage of the following bill:

S. B. No. 219—Mr. Parker—To authorize the County Commissioners of Erie county to build a county jail, and issue bonds therefor—with the following amendment, in which the concurrence of the Senate is requested:

In line 5, section 1, after the word "dollars", insert the following: "provided, that the Commissioners of said county, before issuing any bonds as provided in this act, or creating any indebtedness in anticipation thereof, shall, at some general election, after giving twenty days' notice of said election, by publication in at least two newspapers of general circulation, and published in said county, of the time and place of such election, submit the question of building such jail to the qualified voters of said county. The ballots to be voted at said election shall have printed or written thereon the words: 'Jail—Yes'; or, 'Jail—No'; and if a majority of the votes cast at said election shall be in favor of building such jail, then, and not otherwise, the Commissioners of said county shall be authorized and required to carry out the provisions of this act."

Attest:

L. A. BRUNNER, *Clerk.*

The question being on concurring in House amendment, the yeas and nays were taken, and resulted—yeas 20, nays none, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Benson, Curtiss, Fisher, Forrest, Howland, Irvine, Jackson of Clinton, Jackson of Perry, Kelley, Lord, Owens, Parker, Richards, Sabine, Steedman, Stokes, Tyler and Wilson—20.

So the Senate concurred in said House amendment.

Mr. Fisher, on leave, introduced the following bill, which was read the first time:

S. B. No. 269—To authorize the Commissioners of Coshocton county to transfer funds therein named.

Mr. Steedman offered the following joint resolution:

S. J. R. No. 71: *Be it resolved by the General Assembly of the State of Ohio,* That the Congress of the United States be, and is hereby requested to pass the H. B. No. 3524, providing for the increase of pensions to thirty-six dollars per month of soldiers who lost an arm or leg in the army of the United States during the war of the rebellion.

On motion of Mr. Steedman, said resolution was referred to the committee on Federal Relations.

On motion of Mr. Steedman, the Senate adjourned.

Attest:

ALLEN O. MYERS, *Clerk.*

TUESDAY, February 11, 1879—10 o'clock A.M.

The Senate met pursuant to adjournment.

Prayer by Rev. I. F. Stidham.

The Journal was read and approved.

Mr. Forrest presented the petition of Howard Douglass and 80 other citizens of Hamilton county, praying for an amendment to exemption law of Ohio, so as to include benevolent associations.

Which was referred to the committee on Fees and Salaries.

Bills were read the second time and referred, as follows :

S. B. No. 267—Mr. Steedman—To provide for the redemption of lands sold at judicial sales.

Committee on the Judiciary.

S. B. No. 268—Mr. Kelley—To create a special school district in Upper township, Lawrence county, Ohio.

Committee on Common Schools and School Lands.

S. B. No. 269—Mr. Fisher—To authorize the Commissioners of Coshoc-ton county to transfer funds therein named.

Committee on Public Expenditures.

H. B. No. 680—Mr. Dow—To authorize the township Trustees of Perry township, Logan county, to transfer certain funds—was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 22, nays none, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Benson, Carson, Curtiss, Dungan, Fisher, Forrest, Howland, Jackson of Clinton, Jackson of Perry, Kelley, Krimmel, Lord, Owens, Richards, Sabine, Saltzgaber, Steedman, Stokes, Tyler and Wagener—22.

So the bill passed. The title was agreed to.

On motion of Mr. Richards, the consideration of S. B. No. 204 was postponed until Friday next.

H. B. No. 646—Mr. Wright—Supplementary to the act of May 14, 1878, entitled an act to revise and consolidate the laws relating to civil procedure in Courts of Common Pleas and Superior Courts, in District Courts on appeal, and also the laws relating to procedure in error, mandamus and quo warranto—was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 23, nays none, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Benson, Carson, Curtiss, Dungan, Fisher, Forrest, Howland, Jackson of Clinton, Kelley, Krimmel, Lord, Owens, Parker, Richards, Sabine, Saltzgaber, Sherrick, Steedman, Stokes, Tyler and Wagener—23.

So the bill passed. The title was agreed to.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The House of Representatives has adopted the following joint resolution, in which the concurrence of the Senate is requested :

H. J. R. No. 88—Mr. Meuser—Requiring Clerk of Senate and Clerk of House to furnish certain daily calendars.

Attest :

L. A. BRUNNER, *Clerk.*

Mr. Owens moved that said joint resolution be referred to the committee on the Judiciary.

Which was agreed to.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The House of Representatives has concurred in the passage of the following bill :

S. B. No. 214—Mr. Tyler---To amend section two of an act entitled an act to authorize the Commissioners of Brown county, Ohio, to construct a free turnpike road from the terminus of the Ripley and Hillsborough free turnpike road to the Highland county line, and to construct a free turnpike road from the terminus of the Arnheim free turnpike road via Sardenia to the Highland county line; also, from the terminus of the Mt. Oreb and Benton free turnpike road via Greenbush to the terminus of the Fayetteville and Chasetown free turnpike road, passed April 17, 1878, (O. L., Vol. 75, p. 1122) with the following amendment, in which the concurrence of the Senate is requested:

Strike out the word "not", in line 7, after the word "shall".

Attest :

L. A. BRUNNER, *Clerk.*

The question being on concurring in said House amendment, the yeas and nays were taken, and resulted—yeas 18, nays 3, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Benson, Carson, Curtiss, Dungan, Fisher, Howland, Jackson of Clinton, Joy, Kelley, Krimmel, Lord, Richards, Steedman, Stokes, Tyler and Wagener—18.

Messrs. Owens, Sabine and Saltzgaber voted in the negative.

So the Senate concurred in said amendment.

Leave of absence was asked and obtained for Mr. McDonald, an account of sickness.

The following bills were introduced, and read the first time :

S. B. No. 270—Mr. Joy —To regulate the carriage and delivery of goods by express companies.

S. B. No. 271—Mr. Lord—To revise and consolidate the laws relating to private corporations.

Mr. Richards submitted the following report :

The joint committee on Enrollment have examined, and found correctly enrolled, the following bill :

H. B. No. 588—To amend an act passed May 14, 1878, entitled an act to amend, revise and consolidate the statutes relating to municipal corporations, to be known as title twelve, part one of the act to revise and consolidate the general statutes of Ohio, (Vol. 75, O. L., pp. 161—407.)

J. W. WASHBURN,	C. R. HARMON,
F. M. CARTER,	R. G. RICHARDS,
WM. JESSUP,	IRVINE DUNGAN.

Mr. Carson submitted the following report :

The standing committee on Common Schools and School Lands, to whom was referred H. B. No. 601 To amend section forty-six of an act entitled an act for the reorganization and maintenance of common schools, etc.—having had the same under consideration, report it back, and recommend its passage.

J. M. CARSON,	R. G. RICHARDS,
D. WAGENER,	H. C. LORD.

Said bill was ordered to be engrossed and read the third time now, and was then read.

The question being "Shall the bill pass?"—

On motion of Mr. Curtiss, said bill was laid on the table.

Mr. Dungan submitted the following report:

The standing committee on Finance, to whom was referred S. B. No. 245—Fixing the rate of interest, and to repeal a certain act therein named—having had the same under consideration, report it back, with the following amendments, and recommend its passage when so amended:

Add after section 1:

SECTION 2. That in all cases herein provided for, where interest has been paid in excess of the rate herein prescribed, the whole of the interest paid shall be taken and held to have been paid on the principal; and where a usurious contract is shown to have been made, such contract shall work a forfeiture of all the interest, and the person who has taken or agreed to take any amount of interest, whether by way of discount, exchange, drawback, premium or otherwise, greater than six per cent. per annum, shall recover no more than the actual amount of the principal, and no judgment for such a claim shall bear interest.

Change section 2 of the original bill to section 3; change section 3 to section 4; and change section 4 to section 5.

IRVINE DUNGAN,	J. SHERRICK,
H. W. CURTISS,	JOHN SEITZ.
H. C. LORD,	

Said amendments were agreed to, and the bill was ordered to be engrossed and read the third time on Thursday next.

Mr. Steedman submitted the following report:

The standing committee on Federal Relations, to whom was referred S. J. R. No. 71—Petitioning Congress to pass a certain pension bill having had the same under consideration, report it back, and recommend its adoption.

JAMES B. STEEDMAN,	LYMAN J. JACKSON,
C. S. PARKER,	LINDSEY KELLEY,
W. P. HOWLAND,	J. C. FISHER.
J. M. CARSON,	

The question being on the adoption of the joint resolution, the yeas and nays were taken, and resulted—yeas 25, nays none, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Benson, Carson, Curtiss, Dungan, Fisher, Forrest, Irvine, Jackson of Clinton, Jackson of Perry, Joy, Kelley, Krimmel, Lord, Owens, Parker, Richards, Sabine, Saltzgaber, Sherrick, Steedman, Stokes, Tyler and Wagener—25.

So the joint resolution was adopted.

Mr. Owens moved that H. B. No. 601 be taken from the table.

Which was agreed to.

Mr. Carson moved to refer the bill to a select committee of one, with instructions to amend as follows:

Section 1, line 4, before the word "money," prefix the word "school;" and after the word "money," add: "belonging to such school district."

Which was agreed to, and Mr. Carson was appointed such committee, and reported the bill back amended as instructed.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 24, nays none, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Benson, Carson, Curtiss, Dungan, Fisher, Irvine, Jackson of Clinton, Jackson of Perry, Joy, Kelley, Krimmel, Lord, Owens, Parker, Richards, Sabine, Saltzgaber, Sherrick Steedman, Stokes, Tyler and Wagener—24.

So the bill passed. The title was agreed to.

Mr. Dungan moved that S. B. No. 231 be taken from the table.

Which was agreed to.

Said bill was then read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 26, nays none, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Benson, Carson, Curtiss, Dungan, Fisher, Forrest, Howland, Irvine, Jackson of Clinton, Jackson of Perry, Joy, Kelley, Krimmel, Lord, Owens, Parker, Richards, Sabine, Saltzgaber, Sherrick, Steedman, Stokes, Tyler and Wagener—26.

So the bill passed. The title was agreed to.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The Speaker of the House of Representatives has, in the presence of the House, signed the following bills:

H. B. No. 679—Mr. Wolf—For the relief of George Amerine.

H. B. No. 588—Mr. Wright—To amend the act passed May 14, 1878, entitled an act to amend, revise and consolidate the statutes relating to municipal corporations, to be known as title twelve, part one of the act to revise and consolidate the general statutes of Ohio, (Vol. 75, O. L., pp. 161—304).

H. B. No. 614—Mr. Turner—Supplementary to an act to amend, revise and consolidate the statutes relating to municipal corporations, to be known as title twelve, part one of the act to revise and consolidate the general statutes of Ohio, passed May 11, 1878, (O. L., 75, p. 314).

H. B. No. 631—Mr. Cowgill—Supplementary to an act entitled an act to authorize the village Council of Mechanicsburg, Champaign county, Ohio, to levy a tax and issue bonds for building a town-hall, engine-room and jail, and to authorize said Council to issue bonds and levy a tax.

H. B. No. 613—Mr. Wolf—To authorize the Council of the incorporated village of Logan, Ohio, to transfer one thousand dollars from the sanitary and street fund of said village to the general expense fund.

Attest:

L. A. BRUNNER, *Clerk.*

The President, in presence of the Senate, signed said bills.

On motion of Mr. Kelley, the Senate took a recess.

THREE O'CLOCK P.M.

Leave of absence was asked and obtained for Messrs. Richards, Carson, Stokes, Tyler and Krimmel, until Thursday next at noon.

Mr. Sherrick presented the remonstrance of G. Criswell and 100 other citizens of Stark county, remonstrating against the passage of the bill creating county school superintendents, and abolishing local school boards.

Which was referred to the committee on Common Schools and School Lands.

Mr. Sherrick submitted the following report :

The standing committee on Finance, to whom was referred H. B. No. 603—To amend section seven of an act entitled an act to define the powers and prescribe the duties of the Board of Commissioners of the sinking fund—having had the same under consideration, report it back without recommendation.

J. SHERRICK, H. W. CURTISS,
J. M. CARSON, H. C. LORD.

Said bill was ordered to be engrossed and read the third time on Thursday next.

Mr. Curtiss submitted the following report :

The standing committee on Finance, to whom was referred H. B. No. 131—Relating to the Lincoln and soldiers' memorial monument—having had the same under consideration, report it back without recommendation.

H. W. CURTISS, H. C. LORD,
J. SHERRICK, J. M. CARSON.

Said bill was ordered to be engrossed and read the third time on Friday next.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The House of Representatives has passed the following bills, in which the concurrence of the Senate is requested :

H. B. No. 707—Mr. Smith—To authorize the Commissioners of Washington county to levy a special tax for purposes therein named.

H. B. No. 611—Mr. Bohl—Authorizing the Commissioners of Washington county to levy a tax to pay for grounds purchased and improvements made, for the Washington County Agricultural and Mechanical Association.

Attest :

L. A. BRUNNER, *Clerk.*

Said bills were read the first time.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The following bills have been introduced in the House of Representatives, and read the first time :

H. B. No. 774—Mr. Booth—To authorize the Trustees of Madison township, Franklin county, Ohio, to sell certain real estate.

H. B. No. 775—Mr. Sextro—To amend section one of sub-division one, chapter two, division eight of an act entitled an act to amend, revise and consolidate the statutes relating to municipal corporations, to be known as title twelve, part one of the act to revise and consolidate the general statutes of Ohio, passed May 14, 1878, (Vol. 75, p. 161.)

H. B. No. 776—Mr. Klimper—To prescribe the duties of County Commissioners in cities of the first class having a population exceeding one hundred and eighty thousand, passed May 11, 1878.

H. B. No. 777—Mr. Wales—To authorize the Council of the village of Franklin, in Warren county, Ohio, to borrow money and issue bonds for

the purpose of repairing and furnishing the town-hall building in said village.

H. B. No. 778—Mr. Sawyer—For the relief of the official sureties of Lewis Meyer, late Treasurer of Auglaize county.

H. B. No. 779—Mr. Oglevee—To provide for the payment of costs upon conviction in cases of felony.

H. B. No. 780—Mr. Williamson—To amend section one of an act entitled an act supplementary to an act prescribing the duties of County Auditors, passed April 14, 1859, passed April 6, 1876, and to correct errors of taxation.

H. B. No. 781—Mr. Hardy of Defiance—Supplementary to the act entitled an act to incorporate the Defiance Female Seminary in the county of Defiance, passed March 23, 1850.

H. B. No. 782—Mr. Williams—Revising and consolidating the statutes relating to the compensation of public officers.

Attest:

L. A. BRUNNER, *Clerk*.

Mr. Forrest submitted the following report:

The standing committee on Judiciary, to whom was referred H. J. R. No. 88—In relation to a calendar of all acts of a general nature, which may be passed—having had the same under consideration, report it back, and recommend its adoption.

W. T. FORREST,	D. WAGENER,
G. M. SALTZGABER,	LYMAN J. JACKSON,
J. R. JOHNSTON,	W. P. HOWLAND.

The question being on the adoption of the joint resolution, the yeas and nays were taken, and resulted—yeas 19, nays none, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Benson, Curtiss, Dungan, Fisher, Forrest, Howland, Jackson of Clinton, Jackson of Perry, Johnston, Lord, Marsh, Owens, Parker, Saltzgaber, Sherrick, Steedman and Wagener—19.

So the joint resolution was adopted.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bill, in which the concurrence of the Senate is requested:

H. B. No. 598—Mr. Parker—To authorize the Auditor of Brown county to issue refunding orders on the Treasurer of said county in favor of certain tax-payers.

Attest:

L. A. BRUNNER, *Clerk*.

Said bill was read the first time.

Mr. Forrest submitted the following report:

The standing committee on Judiciary, to whom was referred H. B. No. 699—To amend section twenty-three, of chapter one, division five of an act to revise and consolidate the laws relating to civil procedure in Courts of Common Pleas and Superior Courts, in District Courts on appeal, and also the laws relating to procedure in error, mandamus and quo warrant, (O. L., Vol. 75, p. 684)—having had the same under consideration, report it back, and recommend its passage.

W. T. FORREST,	LYMAN J. JACKSON,
IRVINE DUNGAN,	D. WAGENER.

Said bill was ordered to be engrossed and read the third time on Thursday next.

Mr. Forrest submitted the following report:

The standing committee on Judiciary, to whom was referred Substitute for H. B. No. 76—Supplementary to the laws now in force relating to juries—having had the same under consideration, report it back, with the following substitute, and recommend the passage of said bill as amended:

SUBSTITUTE FOR H. B. NO. 76.

To amend sections three, twenty-four, twenty-seven and twenty-eight, of chapter two, division three of an act entitled an act to revise and consolidate the laws relating to civil procedure in Courts of Common Pleas and Superior Courts, in District Courts on appeal, and also the laws relating to procedure in error, mandamus and quo warranto:

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That said sections be amended so as to read as follows:

SEC. 3. The trustees of each township, and the councilmen of each ward, shall, on the day of such general election, annually, select, of good, judicious persons, residents of such township or ward, having the qualifications of an elector, and not exempt by law from serving as jurors, the number of persons designated in the notice to be returned for jurors therefrom, and shall make a list thereof, and deliver the same to the judge of election who returns to the clerk of the court the poll-book of the election; and such judge of election shall deliver the list to the clerk at the time he returns the poll-book; but no person shall be so selected, who is not, in the judgment of the judges, competent to serve as a juror, (70 Vol., 167, § 3).

SEC. 24. Any party to an action may demand a struck jury for the trial of an issue of fact therein, by filing a precipe with the clerk; and thereupon the clerk shall, at his office, take to his assistance the probate judge and recorder in the selection of the list of names for such jury; which three officers shall select from the qualified electors of the county, the names of forty persons, impartial between the parties, and who, from their intelligence and sound judgment, are believed to be well qualified to try the cause; the probate judge shall make and preserve in his office a list of the names of the persons so selected; and the clerk shall, without delay, give two days' notice to both parties, or their attorneys of record, of the time of striking the jury, and furnish to each at the same time a true copy of such list, (70 Vol., 171, § 15).

SEC. 27. If the clerk, probate judge, or recorder, is interested in the cause, sick, absent from the county, related to either of the parties, or does not stand indifferent between them, a judge entitled to hold such court may, in term time or vacation, appoint some judicious, disinterested person to take the place of the officer so disqualified, in selecting and striking the jury, and to do and perform all things required to be done by such officer when acting in that behalf; but in no case shall it be necessary to strike such jury more than six days previous to the sitting of the court at which the cause is to be tried; and three days' service of the venire shall be sufficient, (70 Vol. 171, § 16.)

SEC. 28. The party requiring a struck jury shall pay the fees for striking, summoning, impanneling, and qualifying the same, and a jury fee of eight dollars, and shall not have any allowance therefor in the taxa-

tion of costs, unless the court be of the opinion that the cause required such a jury, in which case such extraordinary expenses shall be taxed in the bill of costs; and a jury struck as aforesaid may be continued with the continuance of the cause, and be required to appear as jurors for the trial thereof at a subsequent term, unless the court otherwise order, upon good cause shown, (70 Vol., 172, §17.)

SEC. 2. That said original sections be and the same are hereby repealed, and this act shall take effect on its passage.

W. T. FORREST, IRVINE DUNGAN,
D. WAGENER, G. M. SALTZGABER.

On motion of Mr. Curtiss, said substitute was laid on the table and ordered to be printed.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The House of Representatives has passed the following bill, in which the concurrence of the Senate is requested :

H. B. No. 653—Mr. Parker To authorize County Auditors of this State to sell the return, books and statistics of township assessors.

Attest: L. A. BRUNNER, *Clerk.*

Said bill was read the first time.

On motion of Mr. Lord, the Senate adjourned.

Attest: ALLEN O. MYERS, *Clerk.*

WEDNESDAY, *February* 12, 1879—10 o'clock A.M.

The Senate met pursuant to adjournment.

The Journal was read and approved.

Messrs. Johnston and Howland asked leave to have their votes recorded on S. J. R. No. 71; which was granted, and their names being called, they severally voted "aye".

Mr. Jackson of Clinton presented the petition of Thos. E. Powell and 124 other citizens of Westboro, Clinton county, asking for appropriate legislation to protect the Commonwealth from the evils resulting from the manufacture and sale of intoxicating liquors.

Which was referred to the committee on Sanitary Laws and Regulations.

Mr. Jackson of Clinton presented the petition of L. E. Simcox and 43 other citizens of Sycamore, Clinton county, asking for appropriate legislation to protect the Commonwealth from the evils resulting from the manufacture and sale of intoxicating liquors.

Which was referred to the committee on Sanitary Laws and Regulations.

Mr. Jackson of Clinton presented the petition of Nathan Hunt and 173 other citizens of Martinsville, Clinton county, asking for appropriate legislation to protect the Commonwealth from the evils resulting from the manufacture and sale of intoxicating liquors.

Which was referred to the committee on Sanitary Laws and Regulations.

Bills were read the second time and referred, as follows:

H. B. No. 611—Mr. Bohl—Authorizing the Commissioners of Washington county to levy a tax to pay for grounds purchased and improvements made, for the Washington County Agricultural and Mechanical Association.

Committee on Finance.

H. B. No. 707—Mr. Smith—To authorize the Commissioners of Washington county to levy a special tax for purposes therein named.

Committee on the Judiciary.

H. B. No. 598—Mr. Parker—To authorize the Auditor of Brown county, Ohio, to issue refunding orders on the Treasurer of said county in favor of certain taxpayers.

Committee on Finance.

H. B. No. 653—Mr. Parker—To authorize County Auditors of this State to sell the return-books and statistics of township assessors.

Committee on Finance.

S. B. No. 270—Mr. Joy—To regulate the carriage and delivering of goods by express companies.

Committee on Railroads, Telegraphs and Turnpikes.

S. B. No. 271—Mr. Lord—To revise and consolidate the laws relating to private corporations.

Committee on the Judiciary.

S. B. No. 139—Mr. Sabine—To allow the qualified electors of incorporated villages to vote for or against requiring the Trustees or Council of incorporated villages to regulate, restrain and prohibit all beer and porter-houses, or shops or places of notorious and habitual resort for tippling, and intemperance therein—was taken up.

The question being on Mr. Forrest's motion, to refer said bill to a select committee of one, with instructions to report a substitute—

Mr. Curtiss raised the point of order, that the proposed substitute of Mr. Forrest was not germane to the pending proposition, as it proposed to amend the criminal code; whereas, the bill under consideration proposed to amend the municipal code.

Mr. Forrest, on leave, withdrew said motion to refer.

Mr. Forrest moved that said S. B. No. 139 be laid on the table.

Which was agreed to.

Mr. Johnston, on leave, introduced the following bill, which was read the first time:

S. B. No. 272—To amend section forty-nine, of chapter three of an act entitled an act to revise and consolidate the laws relating to procedure in the Probate Court, (O. L., Vol. 75, p. 927).

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bills, in which the concurrence of the Senate is requested:

H. B. No. 702—Mr. Williamson—To authorize the town Council of the incorporated village of New London, Huron county, Ohio, to levy a tax for the purpose of purchasing a town-clock.

H. B. No. 592—Mr. Meuser—To amend an act entitled an act for the incorporation of townships, passed March 14, 1853.

H. B. No. 670—Mr. Norton—To regulate the listing of property of ice producers for taxation purposes.

Substitute for H. B. No. 479—Mr. Poe—To amend sections thirteen and fourteen, of chapter eight, of an act entitled an act to amend, revise and consolidate the statutes relating to crimes and offenses, and to repeal certain acts therein named, to be known as title one, crimes and offenses, part four of the act to revise and consolidate the general statutes of Ohio, passed May 5, 1877, (O. L., Vol. 74, p. 268).

H. B. No. 733—Mr. Eylar—For the relief of Julia A. Trent, a teacher in the Manchester public school.

H. B. No. 749—Mr. Hardy of Coshocton—To authorize the Agricultural Society of Coshocton county to borrow money to pay its indebtedness.

Attest :

L. A. BRUNNER, *Clerk*.

Said bills were read the first time.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The House of Representatives has concurred in Senate amendments to—

H. B. No. 601—Mr. Bohl—To amend section forty-six of an act entitled an act for the reorganization and maintenance of common schools, passed May 1, 1873, (Vol. 70, p. 207).

Attest :

L. A. BRUNNER, *Clerk*.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The House of Representatives has concurred in the adoption of the following joint resolution :

S. J. R. No. 71—Mr. Steedman—Petitioning Congress to pass a certain pension bill.

Attest :

L. A. BRUNNER, *Clerk*.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The Speaker of the House of Representatives has, in the presence of the House, signed the following bills and joint resolutions :

S. J. R. No. 62—Mr. Owens—Providing for a committee to wait upon the Governor.

S. J. R. No. 63—Mr. Beebe—Providing for a joint convention of the Senate and House of Representatives to canvass the vote for Secretary of State.

H. B. No. 680—Mr. Dow—To authorize the township Trustees of Perry township, Logan county, to transfer certain funds.

H. B. No. 646—Mr. Wright—Supplementary to the act of May 14, 1878, entitled an act to revise and consolidate the laws relating to civil procedure in Courts of Common Pleas and Superior Courts, in District Courts

on appeal, and also the laws relating to procedure in error, mandamus, and quo warranto.

S. B. No. 217—Mr. Grove—Supplementary to an act defining the powers and prescribing the duties of the Board of Public Works, passed May 14, 1878, (O. L., Vol. 75, p. 584).

S. B. No. 219—Mr. Parker—To authorize the County Commissioners of Erie county to build a county jail and issue bonds therefor.

Attest:

L. A. BRUNNER, *Clerk*.

The President, in presence of the Senate, signed said bills and joint resolutions.

Mr. Curtiss moved that a message be sent to the House, requesting a certified copy of H. B. No. 357, the original copy, as it passed the House, having been lost in the Judiciary committee.

Which was agreed to.

Mr. Owens, on leave, introduced the following bill, which was read the first time:

S. B. No. 273—To provide for indexing the land records of Licking county.

Mr. Kelley submitted the following report:

The committee on State Buildings, to whom was referred S. R. No. 85.—Instructing the committee on State Buildings to ascertain on what terms the Columbus Gas & Coke Company will furnish gas to light the State House while the present Legislature is in session—having had the same under consideration, report it back, with the following proposition from the Gas Company:

COLUMBUS, *February 11, 1879.*

MESSRS. SEITZ AND ARMSTRONG, *Sub-Committee on Public Buildings:*

GENTLEMEN: In answer to your inquiry of the Columbus Gas-light & Coke Company, under date of 10th inst., as to the price at which said company, would furnish gas to the State House during the present session of the Legislature, I am authorized by said company to offer to furnish gas to the State House, for the time named, at the rate of one dollar and one-half (\$1.50) per thousand feet of gas consumed. the State to pay the Gas Company the cost of (not to exceed twenty dollars) making the necessary connections.

Respectfully yours,

P. W. HUNTINGTON,

Vice-President Columbus Gas-light and Coke Company.

C. S. PARKER,

J. M. ARMSTRONG,

JOHN SEITZ,

LINDSEY KELLEY.

On motion of Mr. Curtiss, said report was laid on the table.

Mr. Howland submitted the following report:

The standing committee on Judiciary, to whom was referred S. B. No. 252—To amend the act of May 11, 1878, entitled an act to revise and consolidate the laws relating to procedure before Justices of the Peace and Mayors—having had the same under consideration, report it back, with the following amendment, and recommend its passage when so amended.

In line 18, section 1, strike out the word "shall," and insert the word "may."

W. P. HOWLAND,
W. T. FORREST,

IRVINE DUNGAN,
D. WAGENER.

Said amendment was agreed to, and the bill was ordered to be engrossed and read the third time to-morrow.

Mr. Howland submitted the following report :

The standing committee on Judiciary, to whom was referred S. B. No. 230—To amend section four, chapter five, division three of an act to revise and consolidate the laws relating to civil procedure in Courts of Common Pleas and Superior Courts, in District Courts on appeal, and also the laws relating to procedure in error, mandamus and quo warranto—having had the same under consideration, report it back, and recommend its passage.

W. P. HOWLAND, IRVINE DUNGAN,
W. T. FORREST, D. WAGENER.

Said bill was ordered to be engrossed and read the third time to-morrow.

Mr. Howland submitted the following report :

The standing committee on Judiciary, to whom was referred S. B. No. 207—To amend the act entitled an act to amend section ten of an act entitled an act for the better security of head contractors, sub-contractors and material men, and to repeal certain acts therein named, (O. L., Vol. 75, p. 514)—having had the same under consideration, report it back, and recommend its passage.

W. P. HOWLAND, IRVINE DUNGAN,
W. T. FORREST, D. WAGENER.

Said bill was ordered to be engrossed and read the third time to-morrow.

On motion of Mr. Benson, the Senate took a recess.

THREE O'CLOCK P.M.

Mr. Seitz submitted the following report :

The standing committee on Public Expenditures, to whom was referred S. B. No. 269—To authorize the Commissioners of Coshocton county to transfer certain funds therein named—having had the same under consideration, report it back, and recommend its passage.

JOHN SEITZ, J. C. FISHER,
J. B. WILLIAMS, H. W. CURTISS.
H. SABINE,

Said bill was ordered to be engrossed and read the third time now, and was then read.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 24, nays none, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Benson, Carlisle, Curtiss, Dungan, Fisher, Forrest, Grove, Howland, Jackson of Clinton, Jackson of Perry, Johnston, Kelley, Lord, Marsh, Owens, Parker, Sabine, Seitz, Sherrick, Steedman, Wagener, Williams and Wilson—24.

So the bill passed. The title was agreed to.

Mr. Fisher submitted the following report :

The standing committee on Public Expenditures, to whom was referred H. J. R. No. 77, having had the same under consideration, report it back, and recommend its adoption.

J. C. FISHER, J. B. WILLIAMS,
J. M. ARMSTRONG, H. W. CURTISS.
JOHN SEITZ,

The question being on the adoption of the joint resolution, the yeas and nays were taken, and resulted—yeas 25, nays none, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Benson, Carlisle, Curtiss, Dungan, Fisher, Forrest, Grove, Howland, Irvine, Jackson of Clinton, Jackson of Perry, Johnston, Kelley, Lord, Marsh, Owens, Parker, Sabine, Seitz, Sherrick, Steedman, Wagener, Williams and Wilson—25.

So the joint resolution was adopted.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The House of Representatives accedes to the request of the Senate, and herewith furnishes a certified copy of H. B. No. 357, by Mr. Foster.

Attest :

L. A. BRUNNER, *Clerk.*

On motion of Mr. Johnston, said bill was referred to the committee on the Judiciary.

Mr. Forrest submitted the following report :

The standing committee on Judiciary, to whom was referred H. B. No. 707 - To authorize the Commissioners of Washington county to levy a special tax for purposes therein named—having had the same under consideration, report it back, and recommend its passage.

W. T. FORREST, LYMAN J. JACKSON,
D. WAGENER, J. R. JOHNSTON.

Said bill was ordered to be engrossed and read the third time to-morrow.

Mr. Seitz submitted the following report :

The standing committee on Finance, to whom was referred S. B. No. 257—Prescribing the rate of State taxes, and to repeal an act therein named—having had the same under consideration, report it back, and recommend its passage.

J. SHERRICK, H. C. LORD,
H. W. CURTISS, IRVINE DUNGAN.
JOHN SEITZ,

Said bill was ordered to be engrossed and read the third time to-morrow.

Mr. Dungan submitted the following report :

The standing committee on Judiciary, to whom was referred S. B. No. 265—To amend section seven, chapter one, division four of an act to revise and consolidate the laws relating to civil procedure in Courts of Common Pleas and Superior Courts, in District Courts on appeal, and also the laws relating to proceure in error, mandamus and quo warranto, passed May 14, 1878, (O. L., Vol. 75, p. 667)—having had the same under consideration, report it back, and recommend its passage.

LYMAN J. JACKSON, W. T. FORREST,
D. WAGENER, IRVINE DUNGAN.

Said bill was ordered to be engrossed and read the third time to-morrow.

Mr. Dungan submitted the following report :

The joint committee on Enrollment have examined, and found correctly enrolled, the following bills and joint resolutions :

S. J. R. No. 62—Providing for a committee to wait upon the Governor.

S. J. R. No. 63 - Providing for a joint convention of the Senate and House of Representatives to canvass the vote for Secretary of State.

S. B. No. 217—Supplementary to an act defining the powers and prescribing the duties of the Board of Public Works, passed May 14, 1878, (O. L., Vol. 75, p. 584).

S. B. No. 219—To authorize the County Commissioners of Erie county to build a county jail and issue bonds therefor.

H. J. R. No. 88—Requiring Clerk of Senate and Clerk of House to furnish certain daily calendars.

IRVINE DUNGAN,	J. W. WASHBURN,
F. M. CARTER,	E. S. PERKINS,
C. R. HARMON,	DUNCAN DOW;
A. D. MARSH,	WM. JESSUP.
J. R. JOHNSTON,	

Mr. Marsh submitted the following report:

The standing committee on Municipal Corporations, to whom was referred S. B. No. 253—To amend section five, of chapter two, of division three of an act to amend, revise and consolidate the statutes relating to municipal corporations, to be known as title twelve, part one of an act to revise and consolidate the general statutes of Ohio, passed May 14, 1878, (Vol. 75, O. L., p. 192)—having had the same under consideration, report it back, and recommend its passage.

THEO. MARSH,	G. W. WILSON,
G. A. GROVE,	JAS. B. STEEDMAN.
LYMAN J. JACKSON,	

Said bill was ordered to be engrossed and read the third time to-morrow.

Mr. Marsh submitted the following report:

The standing committee on Municipal Corporations, to whom was referred S. B. No. 264—To amend section thirty-four, chapter four, division seven of an act to amend, revise and consolidate the statutes relating to municipal corporations, to be known as title twelve, part one of an act to revise and consolidate the general statutes of Ohio, passed May 14, 1878, (Municipal Code, p. 320; also, Statutes of 1878, p. 320)—having had the same under consideration, report it back, and recommend its passage.

THEO. MARSH,	G. W. WILSON,
G. A. GROVE,	JAS. B. STEEDMAN.
LYMAN J. JACKSON,	

Said bill was ordered to be engrossed and read the third time to-morrow.

Mr. Marsh submitted the following report:

The standing committee on Municipal Corporations, to whom was referred S. B. No. 261—For the protection of candidates having had the same under consideration, report it back, with the following amendments, and recommend its passage when so amended:

In section 1, line 2, strike out the word "the". Same section, line 6, strike out the words "real or," and amend the title as follows: Strike out the words "for the protection of candidates," and insert the words: "To prevent immoral practices in nominations and elections."

THEO. MARSH,	G. W. WILSON,
JAS. B. STEEDMAN,	LYMAN J. JACKSON.

Said amendments were agreed to, and the bill was ordered to be engrossed and read the third time to-morrow.

On motion of Mr. Irvine, the Senate adjourned.

Attest:

ALLEN O. MYERS, *Clerk.*

THURSDAY, *February* 13, 1879—10 o'clock A.M.

The Senate met pursuant to adjournment.

Prayer by Rev. I. F. Stidham.

The Journal was read and approved.

Mr. Howland presented the petition of A. F. Tuttle and 56 other citizens of Cherry Valley township, county of Ashtabula, asking for the passage of H. B. No. 619, by Mr. Quinby, now pending to secure local option in the sale of or prohibition of the sale of intoxicating liquors, beer, ale and wine, except for medicinal purposes.

Which was referred to the committee on Sanitary Laws.

Mr. Howland presented the petition of J. E. Smith and 150 other citizens of Andover township, county of Ashtabula, asking for the passage of H. B. No. 619, by Mr. Quinby, now pending, to secure local option in the sale of, or prohibition of the sale of intoxicating liquors, beer, ale and wine.

Which was referred to the committee on Sanitary Laws.

Bills were read the second time and referred, as follows:

H. B. No. 702—Mr. Williamson—To authorize the town Council of the incorporated village of New London, Huron county, Ohio, to levy a tax for the purpose of purchasing a town-clock.

Committee on Finance.

H. B. No. 733—Mr. Eylar For the relief of Julia A. Trent, a teacher in the Manchester public school.

Committee on Common Schools and School Lands.

H. B. No. 749—Mr. Hardy of Coshocton—To authorize the Agricultural Society of Coshocton county to borrow money to pay its indebtedness.

Committee on Agriculture.

H. B. No. 592—Mr. Meuser—To amend an act entitled an act for the incorporation of townships, passed March 14, 1853.

Committee on the Judiciary.

H. B. No. 670—Mr. Norton—To regulate the listing of property of ice producers for taxation purposes.

Committee on Finance.

Substitute for H. B. No. 479—Mr. Poe—To amend sections thirteen and fourteen, of chapter eight of an act entitled an act to amend, revise and consolidate the statutes relating to crimes and offenses, and to repeal certain acts therein named, to be known as title one, crimes and offenses, part four of the act to revise and consolidate the general statutes of Ohio, passed May 5, 1877, (O. L., Vol. 74, p: 268).

Committee on the Judiciary.

S. B. No. 272—Mr. Johnston—To amend section forty-nine, of chapter three of an act entitled an act to revise and consolidate the laws relating to procedure in the Probate Court, (O. L., Vol. 75, p. 927).

Committee on the Judiciary.

S. B. No. 273—Mr. Owens—To provide for indexing the land records of Licking county.

Committee on Municipal Corporations.

H. B. No. 603—Mr. Alexander—To amend section seven of an act entitled an act to define the powers and prescribe the duties of the Board of Commissioners of the sinking fund—was read the third time.

Mr. Forrest moved to refer the bill to a select committee of one, with instructions to amend as follows:

Strike out the words "any of the various denominations or kinds of the," on line 10, of section 2, and insert the words "the 4 per centum."

Pending which motion—

On motion of Mr. Forrest, the bill and pending amendment was laid on the table.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The Speaker of the House of Representatives has, in the presence of the House, signed the following bill and joint resolutions:

H. B. No. 601—Mr. Bohl—To amend section forty-six of an act entitled an act for the reorganization and maintenance of common schools, passed May 1, 1873, (O. L., Vol. 70, p. 207).

Substitute for S. J. R. No. 64—Mr. Forrest—Governing bills prepared by the Codifying Commission.

S. J. R. No. 71 - Mr. Steedman—Petitioning Congress to pass a certain pension bill.

H. J. R. No. 88—Mr. Meuser—Requiring Clerk of the Senate and Clerk of the House to furnish certain daily calendars.

Attest:

L. A. BRUNNER, *Clerk*.

The President, in presence of the Senate, signed said bill and joint resolutions.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bills, in which the concurrence of the Senate is requested:

H. B. No. 694—Mr. Foster—To authorize the County Commissioners of Cuyahoga county to purchase a farm outside the corporate limits of Cleveland, and to build an infirmary thereon, and issue bonds.

H. B. No. 668—Mr. Hostetter - To amend section twenty, of chapter three, of division three of the act entitled an act to revise and consolidate the laws of Ohio relating to procedure in Probate Court, passed May 7, 1878.

Attest:

L. A. BRUNNER, *Clerk*.

Said bills were read the first time.

Mr. Forrest submitted the following report:

The committee of Conference, to whom was referred the matters of difference between the House and Senate on H. B. No. 22, by Mr. Dalzell, having had the same under consideration, report it back with the following recommendations:

1st. That the Senate recede from its amendments to the title of the bill.

2d. That the House concur in the amendments made by the Senate on the report of the standing committee.

3d. That the Senate recede from the amendment relating to attorneys-at-law, which is as follows: "And that all attorneys in the State shall

attend to all the legal business of pensioners of the United States free of charge."

W. T. FORREST,
H. C. LORD,
LINDSEY KELLEY,
Senate Committee.

J. W. WASHBURN,
HENRY HARDY,
D. J. EDWARDS,
House Committee.

The question being on agreeing to the report of the committee, the yeas and nays were taken, and resulted—yeas 17, nays 7, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Carlisle, Curtiss, Fisher, Forrest, Howland, Jackson of Clinton, Jackson of Perry, Johnston, Kelley, Lord, Marsh, McDonald, Steedman, Williams and Wilson—17.

Those who voted in the negative were—

Messrs. Dungan, Irvine, Owens, Sabine Saltzgaber, Seitz and Sherrick—7.

So the report, having failed to receive a constitutional majority, was lost.

On motion of Mr. Carlisle, the Senate took a recess.

THREE O'CLOCK P.M.

Mr. Forrest moved that the consideration of H. B. No. 699 be postponed until Thursday next.

Which was agreed to.

H. B. No. 707—Mr. Smith—To authorize the Commissioners of Washington county to levy a special tax for purposes therein named—was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 20, nays none, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Carlisle, Carson, Curtiss, Dungan, Fisher, Forrest, Grove, Howland, Irvine, Lord, Marsh, Owens, Sabine, Saltzgaber, Sherrick, Stokes, Tyler and Williams—20.

So the bill passed. The title was agreed to.

Mr. Lord moved that the consideration of S. B. No. 245 be postponed until Tuesday next.

Which was agreed to.

S. B. No. 252—Mr. Saltzgaber—To amend the act of May 11, 1878, entitled an act to revise and consolidate the laws relating to procedure before Justices of the Peace and Mayors, (75, O. L., 994)—was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 23, nays none, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Carlisle, Carson, Curtiss, Dungan, Fisher, Irvine, Jackson of Clinton, Jackson of Perry, Lord, Marsh, Owens, Parker, Richards, Sabine, Saltzgaber, Seitz, Sherrick, Steedman, Tyler, Williams and Wilson—23.

So the bill passed. The title was agreed to.

S. B. No. 230—Mr. Jackson of Clinton—To amend section four, chapter five, division three of an act to revise and consolidate the laws relating to civil procedure in Courts of Common Pleas and Superior Courts, in District Courts on appeal, and also the laws relating to procedure in error, mandamus and quo warranto, passed May 14, 1878, (Vol. 75, O. L., p. 665)—was read the third time.

Mr. Wilson moved to refer the bill to a select committee of one, with instructions to amend as follows :

In section 1, line 5, after the word "affidavits", insert "or"; and in line 6, strike out the words "or oral testimony in open court." In line 7, after the word "affidavits", insert "or"; and in same line, strike out the words "or oral testimony in open court"; and add to the section the following words: "and for this purpose depositions may be taken in the county where the action is pending."

Which was agreed to, and Mr. Wilson was appointed such committee, and reported the bill back amended as instructed.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 21, nays none, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Carlisle, Curtiss, Fisher, Howland, Irvine, Jackson of Clinton, Lord, Marsh, Owens, Richards, Sabine, Saltzgaber, Seitz, Sherrick, Steedman, Stokes, Tyler, Williams and Wilson—21.

Mr. Forrest voted in the negative.

So the bill passed. The title was agreed to.

S. B. No. 207—Mr. Wilson—To amend an act entitled an act to amend section ten of an act entitled an act for the better security of head contractors, sub-contractors and material men, and to repeal certain acts therein named, (O. L., 75, p. 514)—was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 27, nays none, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Carlisle, Curtiss, Dungan, Fisher, Forrest, Grove, Howland, Irvine, Jackson of Clinton, Jackson of Perry, Lord, Marsh, McDonald, Owens, Parker, Richards, Sabine, Saltzgaber, Seitz, Sherrick, Steedman, Stokes, Tyler, Williams and Wilson—27.

So the bill passed. The title was agreed to.

S. B. No. 257—Mr. Sherrick—Prescribing the rates of State taxes, and to repeal an act therein named, (O. L., Vol. 73, p. 114)—was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 23, nays 4, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Carlisle, Carson, Curtiss, Dungan, Fisher, Forrest, Grove, Irvine, Jackson of Clinton, Jackson of Perry, Lord, Marsh, McDonald, Owens, Parker, Saltzgaber, Seitz, Sherrick, Steedman, Stokes, Tyler and Williams—23.

Messrs. Howland, Richards, Sabine and Wilson voted in the negative.

So the bill passed. The title was agreed to.

S. B. No. 265—Mr. Forrest—To amend section seven, chapter one, division four of an act entitled an act to revise and consolidate the laws relating to civil procedure in Courts of Common Pleas and Superior Courts, in District Courts on appeal, and also the laws relating to procedure in

error, mandamus and quo warranto, passed May 14, 1878, (O. L., Vol. 75, p. 669)—was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 27, nays none, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Carlisle, Carson, Curtiss, Dungan, Fisher, Forrest, Grove, Howland, Irvine, Jackson of Clinton, Jackson of Perry, Lord, Marsh, McDonald, Owens, Parker, Richards, Sabine, Saltzgaber, Seitz, Sherrick, Steedman, Stokes, Tyler, Williams and Wilson—27.

So the bill passed. The title was agreed to.

Mr. Steedman moved that the consideration of S. B. No. 253 be postponed until Thursday next.

Which was agreed to.

S. B. No. 264—Mr. Forrest—To amend section five, of chapter two, of division three of an act to amend, revise and consolidate the statutes relating to municipal corporations, to be known as title twelve, part one of the act to revise and consolidate the general statutes of Ohio, passed May 14, 1878, (O. L., Vol. 75, p. 192)—was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 19, nays 2, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Carson, Dungan, Fisher, Forrest, Grove, Jackson of Perry, Lord, Marsh, McDonald, Owens, Parker, Saltzgaber, Seitz, Sherrick, Steedman, Stokes, Tyler and Wilson—19.

Messrs. Howland and Sabine voted in the negative.

So the bill passed. The title was agreed to.

S. B. No. 261—Mr. Marsh—To prevent immoral practices in nominations and elections—was read the third time.

Mr. Owens moved to refer the bill to a select committee of one, with instructions to amend as follows :

In line 9, section 1, strike out the words "or charitable enterprise."

Mr. Jackson of Perry moved that Rule No. 59 be suspended, in order that said S. B. No. 261 may be referred to the Judiciary committee.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 19, nays 7, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Benson, Carson, Dungan, Fisher, Forrest, Grove, Irvine, Jackson of Perry, Krimmel, Lord, McDonald, Parker, Sherrick, Steedman, Stokes, Tyler, Williams and Wilson—19.

Those who voted in the negative were—

Messrs. Howland, Johnston, Kelley, Marsh, Owens, Sabine and Saltzgaber—7.

So the motion was agreed to, and the bill was referred.

Mr. Forrest submitted the following report :

The standing committee on Judiciary, to whom was referred S. B. No. 267 -To provide for the redemption of lands sold at judicial sales—having had the same under consideration, report it back without recommendation.

W. T. FORREST, W. P. HOWLAND,
LYMAN J. JACKSON, IRVINE DUNGAN.

Said bill was ordered to be engrossed and read the third time on Wednesday next.

Mr. Forrest submitted the following report :

The standing committee on Judiciary, to whom was referred H. B. No. 357—To amend an act entitled an act to provide for the investment of funds detained in the hands of executors, agents, attorneys or officers by reason of pending litigation—having had the same under consideration, report it back, with the following amendments, and recommend its passage when so amended.

Add on line 3, of section 1, after the word “agent,” the word “assignee.”
Add on line 5, of section 1, after the word “agent,” the word “assignee.”

W. T. FORREST, W. P. HOWLAND,
LYMAN J. JACKSON, IRVINE DUNGAN.

Said amendments were agreed to, and the bill was ordered to be engrossed and read the third time to-morrow.

Mr. Lord submitted the following report :

The standing committee on Finance, to whom was referred H. B. No. 611—Authorizing the Commissioners of Washington county to levy a tax to pay for grounds purchased and improvements made, for the Washington County Agricultural and Mechanical Association—having had the same under consideration, report it back, and recommend its indefinite postponement.

H. C. LORD, H. W. CURTISS,
J. SHERRICK, IRVINE DUNGAN.

Said report was agreed to.

Mr. Sherrick submitted the following report :

The standing committee on Finance, to whom was referred H. B. No. 653—To authorize county Auditors of this State to sell the return-books and statistics of township Assessors—having had the same under consideration, report it back, and recommend its passage.

J. SHERRICK, JOHN SEITZ,
J. M. CARSON, H. C. LORD.
H. W. CURTISS,

Said bill was ordered to be engrossed and read the third time to-morrow.

Mr. Sherrick submitted the following report :

The standing committee on Finance, to whom was referred H. B. No. 598—To authorize the Auditor of Brown county to issue refunding orders on the Treasurer of said county in favor of certain tax-payers—having had the same under consideration, report it back, and recommend its passage.

J. SHERRICK, JOHN SEITZ.
J. M. CARSON, H. C. LORD.
H. W. CURTISS,

Said bill was ordered to be engrossed and read the third time to-morrow.

Mr. Dungan submitted the following report :

The joint committee on Enrollment have examined, and found correctly enrolled, the following joint resolutions :

Substitute for S. J. R. No. 64—Governing bills prepared by the Codifying Commission.

S. J. R. No. 71—Petitioning Congress to pass a certain pension bill.

IRVINE DUNGAN, J. R. JOHNSTON,
F. M. CARTER, WM. JESSUP,
J. W. WASHBURN, C. R. HARMON.
DUNCAN DOW,

Mr. Dungan submitted the following report :

The joint committee on Enrollment have examined, and found correctly enrolled, the following bill :

H. B. No. 601 To amend section forty-six of an act entitled an act for the reorganization and maintenance of common schools. passed May 1, 1873, (O. L., Vol. 70, p. 207).

IRVINE DUNGAN,	J. W. WASHBURN,
F. M. CARTER,	WM. JESSUP,
C. R. HARMON,	DUNCAN DOW.
J. R. JOHNSTON,	

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The following bills have been introduced in the House of Representatives, and read the first time :

H. B. No. 783 - Mr. Sextro—To amend the act of May 14, 1878, entitled an act to amend, revise and consolidate the statutes relating to municipal corporations, to be known as title twelve, part one of the act to revise and consolidate the general statutes of Ohio, (Vol. 75, p. 161).

H. B. No. 784—Mr. Clough—To cheapen the cost of text-books, to prevent too frequent changes in the same, repealing all laws inconsistent therewith.

H. B. No. 785—Mr. Swaim—To provide for the payment of damages by the State to parties herein named.

H. B. No. 786—Mr. Loder—To extend the time for the payment of school lands in Section 16, Green township, Hamilton county, Ohio.

H. B. No. 787—Mr. Bloom—Revising and consolidating the statutes relating to township officers.

H. B. No. 788—Mr. Greene—To amend the act of April 27, 1872, entitled an act to regulate insurance companies doing an insurance business in the State of Ohio, (Vol. 69, p. 140.)

H. B. No. 789—Mr. Turner—To amend section twenty-one, of chapter four, part three, of title two of an act entitled an act to revise and consolidate the statutes relating to procedure in the Probate Courts of Ohio.

H. B. No. 790—Mr. Dempcy—To amend an act entitled an act to enroll the militia of Ohio, to organize the volunteer militia, and to repeal certain acts therein named, passed April 2, 1866, as amended April 11, 1876, as amended May 7, 1877, and to repeal certain acts therein named.

Attest :

L. A. BRUNNER, *Clerk.*

Mr. Tyler, on leave, presented the petition of R. T. Baird and 51 other citizens of Russellville, Brown county, for the passage of a local option law.

Which was referred to the committee on Sanitary Laws and Regulations.

Mr. Saltzgaber moved that the vote whereby the Senate refused to agree to the report of the Conference committee on H. B. No. 22, be reconsidered.

Which was agreed to.

Mr. Johnston moved that a message be sent to the House, requesting the return of said H. B. No. 22.

Which was agreed to.

Mr. Forrest moved to take from the table Substitute for House Substitute for H. B. No. 76.

Which was agreed to.

The question being on agreeing to the report of the committee, the same was agreed to, and the bill was ordered to be engrossed and read the third time to-morrow.

Mr. Lord, on leave, offered the following joint resolution :

S. J. R. No. 72: *Be it resolved by the General Assembly of the State of Ohio,* That there be and is hereby appropriated, out of any moneys belonging to the general revenue fund of the State of Ohio, and not otherwise appropriated, the sum of one hundred dollars, for the purpose of supplying and donating a sketch in relief, representing the Coat of Arms of the State of Ohio, to be placed over the door of the room assigned to the State of Ohio, in the Mt. Vernon mansion, formerly belonging to General and President George Washington, and now belonging to the Mt. Vernon Ladies' Association, and that the Treasurer of State be authorized and instructed to pay the said amount to Mrs. Elizabeth Lytle Proudwell, the Vice-Regent of said association for the State of Ohio.

Mr. Forrest moved that said joint resolution be referred to the committee on Federal Relations.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 8, nays 21, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Carson, Dungan, Fisher, Forrest, Owens, Seitz and Stokes—8.

Those who voted in the negative were—

Messrs. Beebe, Carlisle, Curtiss, Grove, Howland, Irvine, Jackson of Perry, Johnston, Kelley, Krimmel, Lord, Marsh, McDonald, Parker, Richards, Sabine, Saltzgaber, Sherrick, Steedman, Tyler and Wilson—21.

So the motion was disagreed to.

Mr. Seitz moved that said joint resolution be referred to the committee on the Judiciary.

Which was disagreed to.

The question being on the adoption of the joint resolution, the yeas and nays were taken, and resulted—yeas 24, nays 6, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Carlisle, Curtiss, Grove, Howland, Irvine, Jackson of Perry, Johnston, Kelley, Krimmel, Lord, Marsh, McDonald, Owens, Parker, Richards, Sabine, Sherrick, Steedman, Stokes, Tyler, Williams and Wilson—24.

Those who voted in the negative were—

Messrs. Carson, Dungan, Fisher, Forrest, Saltzgaber and Seitz—6.

So the joint resolution was adopted.

On motion of Mr. Jackson of Perry, the Senate adjourned.

Attest :

ALLEN O. MYERS, *Clerk.*

FRIDAY, February 14, 1879—10 o'clock A.M.

The Senate met pursuant to adjournment.

Prayer by Rev. I. F. Stidham.

The Journal was read and approved.

Bills were read the second time and referred, as follows :

H. B. No. 694—Mr. Foster—To authorize the County Commissioners of

Cuyahoga county to purchase a farm outside the corporate limits of Cleveland, and build an infirmary thereon, and issue bonds.

Committee on Finance.

H. B. No. 668—Mr. Hostetter—To amend section twenty, of chapter three, of division three of the act entitled an act to revise and consolidate the laws of Ohio relating to procedure in Probate Court, passed May 7, 1878.

Committee on the Judiciary.

H. B. No. 357—Mr. Foster—To amend an act entitled an act to provide for the investment of funds detained in the hands of executors, agents, attorneys or officers, by reason of pending litigation, (Swan & Sayler, p. 923)—was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 25, nays none, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Benson, Carlisle, Carson, Curtiss, Fisher, Grove, Howland, Jackson of Clinton, Johnston, Kelley, Lord, Marsh, McDonald, Owens, Parker, Richards, Sabine, Seitz, Stokes, Tyler, Wagener, Williams and Wilson—25.

So the bill passed. The title was agreed to.

H. B. No. 653—Mr. Parker—To authorize County Auditors of this State to sell the return-books and statistics of township Assessors—was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 21, nays 7, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Benson, Carson, Curtiss, Fisher, Irvine, Jackson of Clinton, Joy, Kelley, Lord, Owens, Parker, Richards, Sabine, Saltzgaber, Seitz, Sherrick, Steedman, Tyler, Wagener and Wilson—21.

Those who voted in the negative were—

Messrs. Carlisle, Howland, Jackson of Perry, Johnston McDonald, Stokes and Williams—7.

So the bill passed. The title was agreed to.

H. B. No. 598—Mr. Parker—To authorize the Auditor of Brown county, Ohio, to issue refunding orders on the Treasurer of said county in favor of certain tax-payers—was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 28, nays none, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Benson, Carlisle, Carson, Curtiss, Fisher, Grove, Howland, Irvine, Jackson of Perry, Johnston, Joy, Kelley, Lord, McDonald, Owens, Richards, Sabine, Saltzgaber, Seitz, Sherrick, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—28.

So the bill passed. The title was agreed to.

Mr. Seitz moved that H. B. No. 131 be laid on the table.

Which was agreed to.

S. B. No. 204—Mr. Richards—To discontinue schools in districts when the average daily attendance shall fall below a number therein specified—was read the third time.

Mr. Richards moved to refer the bill to a select committee of one, with instructions to amend as follows :

From section 1, line 3, strike out the words "it shall be the duty of",

also the word "to", in line 4, and insert instead of the word "to" the word "may".

Which was agreed to, and Mr. Richards was appointed said committee, and reported the bill back amended as instructed.

Mr. Richards moved to refer the bill to a select committee of one, with instructions to amend as follows:

From section 5, lines 1 and 2, strike out the following words: "when the term of school has already begun and a contract has been," and insert the following: "to contracts already."

Which was agreed to, and Mr. Richards was appointed such committee, and reported the bill back amended as instructed.

Mr. Richards moved to refer the bill to a select committee of one, with instructions to amend as follows:

From section 2, line 1, strike out the words "will be", and insert the word "is."

Which was agreed to, and Mr. Richards was appointed such committee, and reported the bill back amended as instructed.

Mr. Carson moved to refer the bill to a select committee of one, with instructions to amend as follows:

In line 3, section 1, strike out "eight", and insert "five".

On which motion the yeas and nays were demanded, taken, and resulted—yeas 7, nays 15, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Carson, Irvine, Jackson of Clinton, Joy, Steedman and Wilson—7.

Those who voted in the negative were—

Messrs. Carlisle, Curtiss, Dungan, Fisher, Howland, Jackson of Perry, Johnson, Kelley, Krimmel, Lord, McDonald, Parker, Richards, Sabine and Saltzgaber—15.

So the motion was disagreed to.

Mr. Carson moved to refer the bill to a select committee of one, with instructions to amend as follows:

In section 1, line 2, strike out "ten", and insert "fifteen."

Which was agreed to, and Mr. Carson was appointed such committee, and reported the bill back amended as instructed.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 20, nays 6, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Benson, Carlisle, Curtiss, Dungan, Howland, Jackson of Clinton, Jackson of Perry, Johnston, Kelley, Krimmel, Lord, Marsh, McDonald, Richards, Sabine, Saltzgaber, Tyler and Wilson—20.

Those who voted in the negative were—

Messrs. Carson, Fisher, Grove, Irvine, Steedman and Stokes—6.

So the bill passed. The title was agreed to.

The following bills were introduced, and read the first time:

S. B. No. 274—Mr. Wilson—Supplementary to an act entitled an act to fix the price of legal advertising, passed March 25, 1876, (O. L., Vol. 75, p. 75.)

S. B. No. 275—Mr. Grove—To authorize the election of one additional Judge of the Court of Common Pleas in the first sub-division of the second judicial district of Ohio.

Mr. Johnston submitted the following report:

The joint committee on Enrollment have examined, and found correctly enrolled, the following joint resolution:

H. J. R. No. 77—Providing for the payment of the claims of Jacob Haynes, former Secretary of the Board of Trustees of the Soldiers' and Sailors' Orphans' Home.

WM. JESSUP,	C. F. KRIMMEL,
F. M. CARTER,	A. D. MARSH,
E. S. PERKINS,	J. R. JOHNSTON.

Mr. Saltzgaber submitted the following report:

The standing committee on Judiciary, to whom was referred H. B. No. 198—To amend section one of an act entitled an act concerning Notaries Public and Commissioners, and prescribing their duties, passed March 13, 1856, (S. & C., p. 872)—having had the same under consideration, report it back, and recommend its indefinite postponement.

D. WAGENER,	W. T. FORREST,
W. P. HOWLAND,	G. M. SALTZGABER.

Mr. Dungan submitted the following minority report:

The committee on Judiciary, to whom was referred H. B. No. 198—To amend section one of an act entitled an act concerning Notaries Public and Commissioners, and prescribing their duties, passed March 13, 1856, (S. & C., p. 872)—having had the same under consideration, report it back, and recommend its passage.

IRVINE DUNGAN,
LYMAN J. JACKSON,
J. R. JOHNSTON.

On motion of Mr. Saltzgaber, the consideration of said reports was postponed until Wednesday next.

Mr. Stokes submitted the following report:

The standing committee on Agriculture, to whom was referred H. B. No. 749—To authorize the Agricultural Society of Coshocton county to borrow money to pay its indebtedness—having had the same under consideration, report it back, and recommend its passage.

J. B. WILLIAMS,	WM. H. STOKES,
B. W. CARLISLE,	J. M. CARSON,
JOHN H. BENSON,	H. SABINE.
THOS. S. JACKSON,	

Said bill was ordered to be engrossed and read the third time now, and was then read.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 28, nays none, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Carlisle, Carson, Curtiss, Dungan, Fisher, Grove, Howland, Irvine, Johnston, Joy, Kelley, Krimmel, Lord, Marsh, McDonald, Owens, Parker, Richards, Sabine, Saltzgaber, Sherrick, Steedman, Stokes, Tyler, Wagener and Williams—28.

So the bill passed. The title was agreed to.

Leave of absence was asked for Mr. Beer, for the balance of this and next week, on account of sickness.

Mr. Parker submitted the following report:

The committee on State Buildings, to whom was referred S. R. No. 82, by Mr. Forrest, relative to certain charges made against Allen O. Myers,

Clerk of the Senate, report, that the committee have examined under oath twelve witnesses, being all the witnesses called, or who desired to testify before the committee; and after a careful investigation of the matters referred to the committee, we find that the charges complained of, were made in an issue of *The Daily Labor*, a newspaper published in the city of Columbus, Ohio, of date February 5, 1879, and being an interview of one Thomas Pirt.

The committee find, further, that said Thomas Pirt was interviewed by James E. Bergen, then one of the editors of *The Daily Labor*. That both said Thomas Pirt and James E. Bergen were, at the time of the publication of said interview, unfriendly to said Allen O. Myers; and that the matters and things charged against said Allen O. Myers in said interview are not sustained by the evidence. It appears from the evidence before us, that Allen O. Myers did procure some furniture formerly used in the House of Representatives; but that he purchased the same of the Adjutant-general of the State, and that said furniture was for sale under a resolution of the House of Representatives.

The committee, therefore, wholly exonerate Allen O. Myers, Clerk of this Senate, from all and singular of said charges and complaints.

C. S. PARKER,	JOHN SEITZ,
J. M. ARMSTRONG,	G. W. WILSON,
W. H. STOKES,	LINDSEY KELLEY.

The question being on agreeing to the report of the committee, the yeas and nays were taken, and resulted—yeas 33, nays none, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Benson, Carlisle, Carson, Curtiss, Dungan, Fisher, Grove, Howland, Irvine, Jackson of Clinton, Jackson of Perry, Johnston, Joy, Kelley, Krimmel, Lord, Marsh, McDonald, Owens, Parker, Richards, Sabine, Saltzgaber, Seitz, Sherrick, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—33.

So the report of the committee was unanimously adopted.

Mr. Saltzgaber submitted the following report:

The standing committee on Salaries and Fees of Public Officers, to whom was referred S. B. No. 154—To amend section ninety-two of an act entitled an act of the jurisdiction and procedure before Justices of the Peace, passed March 14, 1853—having had the same under consideration, report it back without recommendation.

G. M. SALTZGABER,	JAS. B. STEEDMAN,
H. SABINE,	JOHN H. BENSON,
G. W. WILSON,	THEO. MARSH.
JOHN SEITZ,	

On motion of Mr. Grove, said report was laid on the table.

Mr. Saltzgaber submitted the following report:

The standing committee on Salaries and Fees of Public Officers, to whom was referred H. B. No. 178—To provide for the appointment of a commission to inquire into and report upon sinecures and salaries—having had the same under consideration, report it back, and recommend its indefinite postponement.

G. M. SALTZGABER,	JAS. B. STEEDMAN,
G. W. WILSON,	JOHN H. BENSON,
H. SABINE,	THEO. MARSH.
JOHN SEITZ,	

On motion of Mr. Johnston, said report was laid on the table.

Mr. Jackson of Perry offered the following joint resolution :

S. J. R. No. 73: WHEREAS, Gustavus S. Grate enlisted as a private soldier in Co. G, 31st Regt. O. V. I., during the war of the rebellion, and served therein as such soldier until he was honorably discharged ; and

WHEREAS, By some mistake he is marked on the muster-out roll of said company on file in the office of the Adjutant-general of the State of Ohio, as a deserter from said company at Camp Dick Robinson, in Kentucky, on January 2, 1862 ; therefore,

Be it resolved by the General Assembly of the State of Ohio, That the Adjutant-general be directed to correct said mistake by a proper entry on said rolls, annulling the entry of desertion, and that he forward a copy of this resolution to the Adjutant-general of the United States for proper correction on the records of the service of said soldier at Washington City.

The question being on the adoption of the joint resolution, the yeas and nays were taken, and resulted—yeas 31, nays none, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Benson, Carlisle, Carson, Curtiss, Dungan, Fisher, Grove, Howland, Irvine, Jackson of Clinton, Jackson of Perry, Johnston, Joy, Kelley, Krimmel, Lord, Marsh, McDonald, Parker, Richards, Sabine, Saltzgaber, Seitz, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—31.

So the joint resolution was adopted.

Mr. Fisher submitted the following report :

The committee on Revision has examined, and found correctly engrossed, S. J. R. No. 72.

J. C. FISHER,
J. M. CARSON,
G. W. WILSON.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The Speaker of the House of Representatives has, in the presence of the House, signed the following joint resolution :

H. J. R. No. 77—Mr. Greene—Providing for the payment of the claim of Jacob Haynes, former Secretary of the Board of Trustees of the Soldiers' and Sailors' Orphans' Home.

Attest :

L. A. BRUNNER, *Clerk.*

The President, in presence of the Senate, signed said joint resolution.

The President announced the appointment of the following committee, in pursuance of Substitute for S. J. R. No. 64, on the part of the Senate : Forrest, Saltzgaber, Owens, Jackson of Perry, Howland, Wilson and Curtiss.

On motion of Mr. Krimmel, the Senate took a recess.

THREE O'CLOCK P.M.

Mr. Richards, on leave, presented the petition of William S. Owens and 275 other citizens of Jefferson county, requesting the passage of H. B. No. 619—Providing for local option for the citizens of the townships of the State in the sale of intoxicating liquors, etc.

Which was referred to the committee on Sanitary Laws and Regulations.

Mr. Seitz, on leave, presented the remonstrance of Edward Swander, J. E. Majers and 113 other citizens of Clinton township, Seneca county, against the passage of H. B. No. 743, by Mr. Norton, authorizing a levy of a tax for the macadamizing of roads in said township.

Which was referred to the committee on Public Expenditures.

The following bills were introduced, on leave, and read the first time :

S. B. No. 276—Mr. Owens—To amend an act entitled an act to regulate the letting of contracts for the doing of public work, and the better protection of mechanics, passed May 5, 1877, (O. L., Vol. 74, p. 186).

S. B. No. 277—Mr. Steedman—Granting right of way over certain lands belonging to the State of Ohio, and over the Miami and Erie canal and Swan creek, in the city of Toledo, to the Toledo and Grand Rapids Railroad Company, for the purpose of constructing, maintaining and operating a railroad.

S. B. No. 278—Mr. Richards—Requiring an examination of articles of incorporation by the Attorney-general.

S. B. No. 279—Mr. Wilson—To amend section one of an act entitled an act to fix the compensation of members of the General Assembly of the State of Ohio, (S. & S., p. 696).

Mr. Lord submitted the following report from select committee :

The joint committee, appointed under authority of Senate Joint Resolution No. 38, to inquire into the over-crowded condition of the Institution for the Education of the Deaf Mutes, at Columbus, after having had the same under consideration in joint committee, beg leave to submit the following report :

We do find the Institution for the Education of the Deaf Mutes to be in a condition such as demands the serious and earnest, as well as speedy, attention of this General Assembly. And at a joint meeting of this committee of both Houses, the following resolutions were unanimously adopted as their conclusions of fact and recommendations thereon. These resolutions are herewith submitted for adoption by the General Assembly, and in presenting the same the committee ask for further time to consider and report upon the subjects referred to them under said joint resolution No. 38.

Resolved, That the accommodations now provided by the Institution for the Education of Deaf Mutes at Columbus are entirely inadequate to meet the demands of the present and largely increasing numbers of such unfortunate youth, and is a subject which merits the most serious and earnest consideration of this General Assembly.

Resolved, That the present crowded condition of the institution at Columbus is injurious to the health of the inmates, and not only renders it impossible to secure the best results in the intellectual and moral training of deaf mutes, but prevents parents and guardians from sending their children and wards to the same, and thereby deprives many of such unfortunate of the benefit of the training and education the State should afford.

Resolved, That there should be a classification of these unfortunate youth ; that a separate institution should be provided for the younger children, and the older should be placed in another, where they could be taught in higher branches and instructed in some trade or occupation

suited to their unfortunate condition, and which would enable them to earn a livelihood after passing from the care of the State.

Resolved, That it is impolitic and not in the interest of economy to purchase any additional grounds within the corporate limits of the city of Columbus, or any other city, or erect any additional buildings to the present institution, but that grounds and buildings should be purchased elsewhere, outside the corporate limits of any city, having reference to healthfulness and beauty of location, cheapness of price, and an area and extent sufficient to meet all demands likely to be made in the future.

Resolved, That the want of increased accommodations is immediate and pressing, and should be provided at the present adjourned session, and that the joint committee be instructed to invite and consider any proposals for location, and donations of land or money to the State that may be made, and report upon the same to the General Assembly at the earliest practicable time.

All of which is respectfully submitted.

W. P. HOWLAND,
C. F. KRIMMEL,
H. C. LORD,

Committee on part of the Senate.

R. G. WILLIAMS,
E. R. SAGE,
J. W. BULL,

Committee on part of the House.

On motion of Mr. Curtiss, said report was laid on the table.

Mr. Curtiss offered the following joint resolution:

S. J. R. No. 74: *Resolved*, That the joint committee appointed under authority of Senate Joint Resolution No. 38, be authorized by this General Assembly to invite and consider any proposals for location and donations of land or money to the State, that may be made for the better accommodation of the deaf mutes of the State, and that they be instructed to report the same to the General Assembly at the earliest practicable time.

The question being on the adoption of the joint resolution, the yeas and nays were taken, and resulted—yeas 28, nays none, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Benson, Carlisle, Curtiss, Fisher, Grove, Howland, Irvine, Jackson of Clinton, Johnston, Kelley, Krimmel, Lord, Marsh, McDonald, Owens, Parker, Richards, Sabine, Saltzgaber, Seitz, Sherrick, Steedman, Stokes, Wagener, Williams and Wilson—28.

So the joint resolution was adopted.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives accedes to the request of the Senate, and herewith returns—

H. B. No. 22—Mr. Dalzell—To prescribe the duties and fees of Justices of the Peace, Notaries Public and attorneys-at-law in certain cases.

Attest:

L. A. BRUNNER, *Clerk.*

Mr. Johnston moved to take from the table the report of the Conference committee on H. B. No. 22.

Which was agreed to.

The question being on agreeing to the report of the Conference committee, the yeas and nays were ordered, taken, and resulted—yeas 26, nays 1, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Benson, Carlisle, Curtiss, Fisher, Grove, Howland, Irvine, Jackson of Clinton, Johnston, Joy, Kelley, Krimmel, Lord, Marsh, McDonald, Richards, Sabine, Saltzgaber, Seitz, Steedman, Stokes, Wagener, Williams and Wilson—26.

Mr. Owens voted in the negative.

So the report of the Conference committee was agreed to.

Mr. Marsh submitted the following report :

The standing committee on Fish Culture and Game, to whom was referred H. B. No. 576—To amend section twenty-six of chapter eight of an act entitled an act to amend, revise and consolidate the statutes relating to crimes and offenses, and to repeal certain acts therein named, to be known as title one, crimes and offenses, part four of the act to revise and consolidate the general statutes of Ohio, (O. L., Vol. 74, p. 271)—having had the same under consideration, report it back, and recommend its passage.

THEO. MARSH,	JAMES B. STEEDMAN,
W. P. HOWLAND,	J. C. FISHER,
C. S. PARKER,	R. G. RICHARDS.

Said bill was ordered to be engrossed and read the third time now, and was then read.

Mr. Johnston moved that said bill be re-committed to the committee on Fish Culture and Game, for correction.

Which was agreed to.

Mr. Benson moved that H. B. No. 596 be taken from the table.

Which was agreed to.

Mr. Owens moved to refer the bill to a select committee of one, with instructions to amend as follows :

Strike out of line 4, section 2, the words "special or".

Which was agreed to, and Mr. Owens was appointed such committee, and reported the bill back amended as instructed.

Mr. Owens moved to refer the bill to a select committee of one, with instructions to amend as follows :

Strike out all between the word "city", in line 2, section 1, and the word "whose", in line 3, section 1, and insert in lieu thereof the following: "of the third grade of the second class".

Which was agreed to, and Mr. Owens was appointed such committee, and reported the bill back amended as instructed.

Mr. Owens moved to refer the bill to a select committee of one, with instructions to amend as follows :

Strike out of line 8, section 1, the word "twenty", and insert in lieu thereof the word "ten."

Which was agreed to, and Mr. Owens was appointed such committee, and reported the bill back amended as instructed.

Mr. Owens moved to refer the bill to a select committee of one, with instructions to amend as follows :

Strike out in line 12, section 2, the word "majority," and insert in lieu thereof the words "two-thirds."

Pending which, Mr. Grove moved that the further consideration of said bill be postponed until Tuesday next.

Which was agreed to.

Leave of absence was asked and obtained for Messrs. Carson and Grove until Monday noon next.

Mr. Fisher submitted the following report:

The committee on Revision has examined, and found correctly engrossed, S. J. R. No. 74, by Mr. Curtiss.

J. C. FISHER,
G. M. SALTZGABER,
G. W. WILSON.

Mr. Saltzgaber submitted the following report:

The committee on Revision has examined, and found correctly engrossed, S. J. R. No. 73.

G. M. SALTZGABER,
J. C. FISHER.

Mr. Johnston submitted the following report:

The joint committee on Enrollment has examined, and found correctly enrolled, the following bills:

H. B. No. 357 - An act to amend an act entitled an act to provide for the investment of funds detained in the hands of executors, agents, attorneys or officers, by reason of pending litigation.

H. B. No. 749—An act authorizing the Agricultural Society of Coshoc-ton county to borrow money to pay its indebtedness.

H. B. No. 653—To authorize County Auditors of this State to sell the return-books and statistics of township Assessors.

H. B. No. 598 To authorize the Auditor of Brown county, Ohio, to issue refunding orders on the Treasurer of said county in favor of certain tax-payers.

J. W. WASHBURN,	F. M. CARTER,
E. S. PERKINS,	WM. JESSUP,
C. R. HARMON,	R. G. RICHARDS,
DUNCAN DOW,	J. R. JOHNSTON.

Mr. Marsh submitted the following report:

The standing committee on Fish Culture and Game, to whom was referred H. B. No. 576—To amend section twenty-six, of chapter eight of an act entitled an act to amend, revise and consolidate the statutes relating to crimes and offenses, and to repeal certain acts therein named, to be known as title one, crimes and offenses, part four of the act to revise and consolidate the general statutes of Ohio, (O. L., Vol. 74, p. 271)—having had the same under consideration, report it back, with the following amendments, and recommend its passage when so amended:

In line 14, strike out the letter "s", at the end of the word "muskrats," also the comma, and insert a hyphen in its stead; also, insert after the words "or", at the end of line 14, "muskrat" and a hyphen.

Add at the end of section one, the following: "Provided, this act shall not apply to the canals or lands of the State."

THEO. MARSH,	R. G. RICHARDS,
W. P. HOWLAND,	J. C. FISHER.
C. S. PARKER,	

Said amendments were agreed to.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 23, nays 1, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Benson, Carlisle, Curtiss, Fisher, Johnston,

Joy, Kelley, Lord, Marsh, McDonald, Owens, Parker, Richards, Sabine, Saltzgaber, Seitz, Steedman, Stokes, Tyler, Wagener and Wilson—23.

Mr. Jackson of Clinton voted in the negative.

So the bill passed. The title was agreed to.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has agreed to the report of the committee of Conference on—

H. B. No. 22—Mr. Dalzell—To prescribe the duties and fees of Justices of the Peace, Notaries Public and attorneys-at-law in certain cases.

Attest:

L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The following bills have been introduced in the House of Representatives, and read the first time:

H. B. No. 791—Mr. Covert To authorize cities, counties, villages and townships to levy taxes for special improvements, and for the payment of debts.

H. B. No. 792—Mr. Foster—To amend sections three and thirteen of an act to revise and consolidate the laws relating to procedure in the Probate Court, passed May 7, 1878, (75, p. 836.)

H. B. No. 793—Mr. Hart —To authorize the County Commissioners of Knox county to aid the County Agricultural Society of said county.

H. B. No. 794—Mr. Reed of Trumbull—Supplementary to an act entitled an act in regard to the boundary lines between the States of Ohio and Pennsylvania (O. L., Vol. 75, p. 130.)

Attest:

L. A. BRUNNER, *Clerk.*

Mr. Richards submitted the following report:

The joint committee on Enrollment has examined, and found correctly enrolled, the following bill:

H. B. No. 707—To authorize the Commissioners of Washington county to levy a special tax for purposes therein named.

J. W. WASHBURN,	F. M. CARTER,
E. S. PERKINS,	J. R. JOHNSTON,
C. R. HARMON,	R. G. RICHARDS.
DUNCAN DOW,	

On motion of Mr. Marsh, the Senate adjourned.

Attest:

ALLEN O. MYERS, *Clerk.*

SATURDAY, February 15, 1879—10 O'CLOCK A.M.

The Senate met pursuant to adjournment.

Prayer by Rev. I. F. Stidham.

The Journal was read and approved.

Mr. Howland presented the petition of J. S. Morley and 65 other citi-

zens of Andover township, county of Ashtabula, asking for the passage of H. B. No. 619, by Mr. Quinby, for local option in the sale of intoxicating liquors.

Which was referred to the committee on Sanitary Laws and Regulations.

Mr. Howland presented the petition of P. F. Mason and 206 other citizens of Andover township, county of Ashtabula, asking for the passage of H. B. No. 619, by Mr. Quinby, for local option in the sale of intoxicating liquors.

Which was referred to the committee on Sanitary Laws and Regulations.

Bills were read the second time and referred, as follows:

S. B. No. 274—Mr. Wilson—Supplementary to an act entitled an act to fix the price of legal advertising, passed March 25, 1876, (73 O. L., p. 75.)

Committee on Public Expenditures.

S. B. No. 275—Mr. Grove—To authorize the election of one additional Judge of the Court of Common Pleas, in the first sub-division of the second judicial district of Ohio.

Committee on the Judiciary.

S. B. No. 276—Mr. Owens—To amend an act entitled an act to regulate the letting of contracts for the doing of public work, and the better protection of mechanics, passed May 5, 1877, (O. L., Vol. 74, p. 186.)

Committee on Municipal Corporations.

S. B. No. 277—Mr. Steedman—Granting right of way over certain lands belonging to the State of Ohio, and over the Miami and Erie canal and Swan creek, in the city of Toledo, to the Toledo and Grand Rapids Railroad Company, for the purpose of constructing, maintaining and operating a railroad.

Committee on Public Works and Public Lands.

S. B. No. 278—Mr. Richards—Requiring an examination of articles of incorporation by the Attorney-general.

Committee on the Judiciary.

S. B. No. 279—Mr. Wilson—To amend section one of an act entitled an act to fix the compensation of members of the General Assembly of the State of Ohio, (Swan & Saylor, p. 696.)

Committee on Salaries and Fees of Public Officers.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has concurred in Senate amendments to—

H. B. No. 357—Mr. Foster—To amend an act entitled an act to provide for the investment of funds detained in the hands of executors, agents, attorneys or officers, by reason of pending litigation, (S. & S., p. 923).

Attest:

L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

Messrs. Meuser, Bloom, Achauer, Washburn, Townsend, Mackey and Covert have been appointed a committee on part of the House in compliance with the provisions of—

Substitute for S. J. R. No. 64—Mr. Forrest—Governing bills prepared by Codifying Commission.

Attest :

L. A. BRUNNER, *Clerk*.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The following bills have been introduced in the House of Representatives, and read the first time :

H. B. No. 795—Mr. Bloom—Regulating the responsibility of agents.

H. B. No. 796—Mr. Bohl—To authorize the Board of Education of Waterford township, Washington county, Ohio, to compromise with the defaulting Treasurer of said township.

H. B. No. 797—Mr. Dow—To authorize the empannelling of special jurors.

H. B. No. 798—Mr. Leggett—For the suppression of tramps, vagrants and beggars.

H. B. No. 799—Mr. Hardy of Defiance—Supplementary to an act passed April 15, 1867, entitled an act to provide for the voluntary dissolution of corporations, (S. & S., 243).

H. B. No. 800—Mr. Bull—To regulate the sale of trees, plants and shrubs.

H. B. No. 801—Mr. Sullivan of Miami—To amend the act of March 12, 1831, entitled an act prescribing the duties of County Treasurers, (29 Vol., 291, S. & C., 1584).

H. B. No. 802—Mr. Herrick—To authorize the Board of Education of the Union School District of the incorporated village, of Lorain county, Ohio, to levy additional school tax in said school district.

Attest :

L. A. BRUNNER, *Clerk*.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The House of Representatives has passed the following bill, in which the concurrence of the Senate is requested :

H. B. No. 793—Mr. Hart—To authorize the County Commissioners of Knox county to aid the County Agricultural Society of said county.

Attest :

L. A. BRUNNER, *Clerk*.

Said bill was read the first time.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The Speaker of the House of Representatives has, in the presence of the House, signed the following bills :

H. B. No. 653—Mr. Parker—To authorize County Auditors of this State to sell the return-books and statistics of township Assessors.

H. B. No. 598—Mr. Parker—To authorize the Auditor of Brown county, Ohio, to issue refunding orders on the Treasurer of said county in favor of certain tax-payers.

H. B. No. 707—Mr. Smith—To authorize the Commissioners of Washington county to levy a special tax for purposes therein named.

Attest:

L. A. BRUNNER, *Clerk*.

The President *pro tem.*, in presence of the Senate, signed said bills.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bills, in which the concurrence of the Senate is requested:

H. B. No. 711—Mr. Poe—To authorize the transfer of certain funds in the township of Bedford, Cuyahoga county, to other funds in said township.

H. B. No. 726—Mr. Oglevee—Revising the statutes relating to definitions and general provisions.

Attest:

L. A. BRUNNER, *Clerk*.

Said bills were read the first time.

Mr. Curtiss moved that Substitute for H. B. No. 76 be placed on the calendar for third reading on Tuesday next.

Which was agreed to.

Mr. Fisher submitted the following report:

The committee on Revision has examined, and found correctly engrossed, S. B. No. 204, by Mr. Richards, and Senate amendments to H. B. No. 576, by Mr. Ellis.

J. C. FISHER,

G. M. SALTZGABER.

Mr. Marsh submitted the following report:

The standing committee on Fish Culture and Game, to whom was referred H. B. No. 628—To prevent the killing or injuring of quail, or Virginia partridge, and prairie chickens—having had the same under consideration, report it back, and recommend its passage.

THEO. MARSH,

JAS. B. STEEDMAN,

C. S. PARKER,

J. C. FISHER.

Said bill was ordered to be engrossed and read the third time on Tuesday next.

The following bills were introduced, and read the first time:

S. B. No. 280—Mr. Joy—To create a special school district in Blanchard township, Hancock county.

S. B. No. 281—Mr. Dungan—To fix the time of holding an additional term of the District Court in Jackson county.

S. B. No. 282—Mr. Jackson of Perry—To protect the rights of sepulture.

Mr. Fisher submitted the following report:

The standing committee on Railroads, Telegraphs and Turnpikes, to whom was referred S. B. No. 209—To amend an act entitled an act to provide for the creation and regulation of incorporated companies in the State of Ohio, passed May 1, 1852, (50. Vol., Statutes, 274), (S & C., Vol. 1, p. 271)—having had the same under consideration, report it back without recommendation.

J. C. FISHER,

H. SABINE,

H. C. LORD,

D. JOY,

GEO. P. TYLER.

Said bill was ordered to be engrossed and read the third time on February 26th.

Mr. Jackson of Perry submitted the following report :

The standing committee on Military Affairs, to whom was referred S. B. No. 259—To authorize the Council of the city of Akron, Summit county, to levy a tax for building an armory—having had the same under consideration, report it back, with the following amendments, and recommend its passage when so amended :

Strike out of the title all following the word “for”, and insert : “a building to be used as an armory, city prison and city offices.”

Strike out all after the word “for”, in line 4, and insert : “erecting a building in said city, to be used as an armory, city prison and city offices.”

L. J. JACKSON, G. M. SALTZGABER,
GEO. P. TYLER, D. JOY.

Said amendments were agreed to, and the bill was ordered to be engrossed and read the third time on Tuesday next.

Mr. Marsh submitted the following report :

The standing committee on Fish Culture and Game, to whom was referred H. B. No. 657—To amend an act known as title one, crimes and offenses, part four of the act to revise and consolidate the general statutes of Ohio, passed May 5, 1877, (O. L., Vol. 74, p. 240)—having had the same under consideration, report it back, and recommend its passage.

THEO. MARSH, W. P. HOWLAND,
C. S. PARKER, JAS. B. STEEDMAN,
J. C. FISHER, R. G. RICHARDS.

Said bill was ordered to be engrossed and read the third time on Tuesday next.

Mr. Carlisle offered the following joint resolution :

S. J. R. No. 75 ; WHEREAS, It is charged that the Standard Oil Company, by obtaining special freight rates, has been enabled to monopolize the oil trade ; and

WHEREAS, The granting of special rates to one company, thus discriminating in rates against the dealers, is prejudicial to the interest of consumers, and is against public policy ; therefore,

Be it resolved by the General Assembly of the State of Ohio, That a committee of three on the part of the Senate, and ——— on part of the House, be appointed, to investigate the matter of granting of special rates by railroads, and they shall have power to send for persons and papers, and shall report the facts to the General Assembly, with any recommendations they may deem necessary to remedy the evils complained of in the above preamble.

Mr. Curtiss moved that the joint resolution be referred to the committee on Railroads, Turnpikes and Telegraphs.

Which was agreed to.

Mr. Owens offered the following joint resolution :

S. J. R. No. 76—In relation to the case of William Cummings, Treasurer of Lucas county, Ohio, against the Merchants' National Bank, pending in the Supreme Court of the United States :

Be it resolved by the General Assembly of the State of Ohio, That the Attorney-general be, and is hereby directed, to appeal for and on behalf of the State of Ohio, in the case of William Cummings, Treasurer of Lucas county, Ohio, against the Merchants' National Bank of Toledo, now

pending in the Supreme Court of the United States, on error to the Circuit Court of the United States for the Northern District of Ohio.

And that said Attorney-general take such steps in said case, as, in his judgment, may best subserve and protect the rights of the State of Ohio in said case.

Mr. Saltzgaber moved that said joint resolution be referred to the committee on the Judiciary.

Which was agreed to.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The House of Representatives has refused to concur in Senate amendments to—

H. B. No. 576—Mr. Ellis—To amend section twenty-six, of chapter eight of an act entitled an act to amend, revise and consolidate the statutes relating to crimes and offenses, and to repeal certain acts therein named, to be known as title one, crimes and offenses, part four of the act to revise and consolidate the general statutes of Ohio, (O. L., Vol. 74, p. 271).

Attest :

L. A. BRUNNER, *Clerk.*

Mr. Richards moved that the Senate insist on its amendments to said bill.

Which was agreed to.

Mr. Lord presented the petition of Gross & Dietrich and other citizens of Hamilton county, relating to damages sustained by reason of the overflow of the Miami and Erie canal.

Which was referred to the committee on Public Works.

Mr. Saltzgaber submitted the following report :

The standing committee on Insurance, to whom was referred S. B. No. 238—To amend section twelve, of chapter two, of title thirteen of an act entitled an act to amend and revise the statutes relating to taxation, to be known as title thirteen, part one of the act to revise and consolidate the general statutes, (Vol. 75, p. 446)—having had the same under consideration, report it back, and recommend its passage.

G. M. SALTZGABER, THEO. MARSH,
JOHN IRVINE, G. W. WILSON.
H. SABINE,

Said bill was ordered to be engrossed and read the third time on Tuesday next.

Mr. Wilson submitted the following report :

The committee on State Buildings, to whom was referred Senate Resolution No. 81, by Mr. Wilson, relative to the impure and noxious atmosphere of the Senate Chamber, having had the same under consideration, report it back, with the information that the committee have inspected the basement of the State House, and find the same reasonably clean ; and the atmosphere in the basement is not bad, except in that part where the sewers are located.

The committee ascertained that the principal cause of the impure atmosphere in the State House was the impure and defective gas manufactured at the Penitentiary. As evidence of this the committee learned that all the public institutions which are supplied by gas from the Penitentiary, were affected in like manner as the State House.

Such precautions have been taken by the manufacturers of the gas at the Penitentiary as, it is hoped, will remedy the evil complained of. The committee think it unadvisable to disturb the sewers under the State House during the session of the General Assembly, but recommend that proper measures be taken to have them cleaned out and put in good condition after the adjournment of the Legislature.

J. M. ARMSTRONG, JOHN SEITZ,
W. H. STOKES, L. KELLEY.
GEO. W. WILSON,

Mr. Tyler, on leave, introduced the following bill, which was read the first time:

S. B. No. 283—To amend section six, chapter seven of an act entitled an act to revise and consolidate the laws relating to procedure in the Probate Court, passed May 7, 1878, (O. L., Vol. 75, p. 957).

On motion of Mr. Joy, the Senate adjourned.

Attest:

ALLEN O. MYERS, *Clerk.*

MONDAY, *February* 17, 1879—10 o'clock A.M.

The Senate met pursuant to adjournment.

Prayer by Rev. R. G. Hutchins.

The Journal was read and approved.

Bills were read the second time and referred, as follows:

H. B. No. 793—Mr. Hart—To authorize the County Commissioners of Knox county, Ohio, to aid the County Agricultural Society of said county.
Committee on Agriculture.

H. B. No. 711—Mr. Poe—To authorize the transfer of certain funds in the township of Bedford, Cuyahoga county, to other funds in said township.

Committee on Finance.

H. B. No. 726—Mr. Oglevec—Revising the statutes relating to definitions and general provisions.

Committee on the Judiciary.

S. B. No. 280—Mr. Joy—To create a special school district in Blanchard township, Hancock county, Ohio.

Committee on Common Schools and School Lands.

S. B. No. 281—Mr. Dungan—To fix the time for holding an additional term of the District Court in Jackson county, Ohio.

Committee on the Judiciary.

S. B. No. 282—Mr. Jackson of Perry—To protect the rights of sepulture.

Committee on the Judiciary.

S. B. No. 283—Mr. Tyler—To amend section six, chapter seven of an act entitled an act to revise and consolidate the laws relating to procedure in the Probate Court, passed May 7, 1878, (75, O. L., p. 957).

Committee on the Judiciary.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The House of Representatives has passed the following bill, in which the concurrence of the Senate is requested :

H. B. No. 715—Mr. Bohl—To revise and consolidate the statutes relating to persons, being title one, part two of the act to revise and consolidate the general statutes of Ohio.

Attest :

L. A. BRUNNER, *Clerk.*

Said bill was ordered to be returned to the House to be correctly engrossed.

Mr. Forrest presented the petition of C. B. Matthews and 40 other citizens of Hamilton county, praying the passage of a law exempting from seizure and sale the property of benevolent associations.

Which was referred to the committee on Judiciary.

Mr. Forrest and Mr. Beer asked and obtained leave to record their votes on the report of the committee on Public Buildings, made under S. R. No. 82—Exonerating the Clerk of the Senate from all charges made against him—and their names being called, they severally voted “aye.”

Mr. Armstrong asked and obtained leave of absence for the committee on Soldiers’ and Sailors’ Orphans’ Home until to-morrow afternoon.

On motion of Mr. Joy, the Senate took a recess.

THREE O’CLOCK P.M.

Mr. Wilson offered the following resolution :

S. R. No. 86 : *Be it resolved by the Senate of the General Assembly of the State of Ohio*, That the standing committee on Soldiers’ and Sailors’ Orphans’ Home, and School for Imbecile Youth, of the Senate, be, and they are hereby authorized to inquire into the cause of the burning of the buildings of the Soldiers’ and Sailors’ Orphans’ Home, and what necessary to be done for the care and protection of the officers, teachers and inmates thereof, until some permanent plan is adopted for their future care and support ; and also to investigate and report any other matters connected with said institution which may be of use to the General Assembly, and for this purpose they are hereby authorized to send for persons and papers.

The question being on the adoption of the resolution, the yeas and nays were taken, and resulted—yeas 25, nays none, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Curtiss, Dungan, Fisher, Forrest, Grove, Howland, Irvine, Jackson of Perry, Joy, Kelley, Krimmel, McDonald, Owens, Richards, Seitz, Stokes, Tyler, Wagener, Williams and Wilson—25.

So said resolution was adopted.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The House of Representatives has adopted the following joint resolution, in which the concurrence of the Senate is requested :

H. J. R. No. 91—Mr. McCoy of Wayne—Providing for the treatment and restraint of James King.

Attest :

L. A. BRUNNER, *Clerk.*

On motion of Mr. Benson, the resolution was referred to the committee on Benevolent Institutions.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bill, in which the concurrence of the Senate is requested:

H. B. No. 715—Mr. Bohl—To amend and consolidate the statutes relating to persons, being title one, part two of the act to revise and consolidate the general statutes of Ohio.

Attest:

L. A. BRUNNER, *Clerk.*

Said bill was read the first time.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bill, in which the concurrence of the Senate is requested:

H. B. No. 735—Mr. Klimper—Providing for the relief of street railroad companies in certain cases.

Attest:

L. A. BRUNNER, *Clerk.*

Said bill was read the first time.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has adopted the following joint resolution, in which the concurrence of the Senate is requested:

H. J. R. No. 93—Mr. Dodds—Relative to the burning of the Ohio Soldiers' and Sailors' Orphans' Home, at Xenia, Ohio.

Attest:

L. A. BRUNNER, *Clerk.*

On motion of Mr. Forrest, the resolution was laid on the table.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has concurred in the passage of the following bill:

S. B. No. 210—Mr. Curtiss—Providing for increasing the levy for poor purposes in certain townships.

Attest:

L. A. BRUNNER, *Clerk.*

Mr. Dungan submitted the following report:

The standing committee on Judiciary, to whom was referred S. B. No. 206—To amend section fourteen, of chapter seven of an act entitled an act to amend, revise and consolidate the statutes in relation to criminal procedure, (Laws of 1877, p. 354)—having had the same under consideration, report it back, with the following amendments, and recommend its passage when so amended:

Section 1, line 5, after "person", insert: "or any person after sentence and before confinement in the penitentiary".

Line 12, strike out "the record of"; after line 14, insert: "if any convict escape from the Penitentiary or Reform School for boys, no part of the time such convict is absent shall be counted as a part of the time for which such convict was sentenced."

W. T. FORREST, W. P. HOWLAND,
 LYMAN J. JACKSON, IRVINE DUNGAN.
 D. WAGENER,

Said amendments were agreed to, and the bill was ordered to be engrossed and read the third time on Wednesday next.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The following bills have been introduced in the House of Representatives, and read the first time:

H. B. No. 803—Mr. Loder—To amend the act of May 14, 1878, entitled an act to amend, revise and consolidate the statutes relating to municipal corporations, to be known as title twelve, part one of the act to revise and consolidate the general statutes of Ohio, (Vol. 75, p. 161.)

H. B. No. 804—Mr. Fenton—To authorize the village of Delta, in Fulton county, Ohio, to transfer certain funds.

H. B. No. 805—Mr. Levering—Revising and consolidating the statutes relating to townships.

H. B. No. 806—Mr. Norton—Supplementary to an act entitled an act to locate a sub-school district in Seneca county.

H. B. No. 807—Mr. Dalzell—To repair losses by fire at the Soldiers' and Sailors' Orphans' Home.

Attest:

L. A. BRUNNER, *Clerk.*

Mr. Jackson of Perry submitted the following report:

The standing committee on Judiciary, to whom was referred S. B. No. 243—To define and suppress tramps—having had the same under consideration, report it back, amended as follows:

After the word "land", in line 3, section 2, insert: "or in any house or out-house," and without further recommendation.

W. T. FORREST, LYMAN J. JACKSON,
 IRVINE DUNGAN, W. P. HOWLAND.
 D. WAGENER,

Said amendment was agreed to, and the bill was ordered to be engrossed and read the third time on Wednesday next.

Mr. Jackson of Perry submitted the following report:

The standing committee on Judiciary, to whom was referred S. B. No. 225—To punish vagrancy, and to repeal a section of a certain act, (O. L., Vol. 74, pp. 277-278)—having had the same under consideration, report it back, with the following amendments, and without further recommendations:

Strike out of the first section the words "judges of," also the words "and with police courts where established for the," and insert the words "in the prosecution and."

Insert in section 2, line 7, the word "shall," after the word "conviction."

Strike out sections 3 and 4, and insert in lieu thereof, as section 3, the following: "Criminal proceedings under this act shall be conducted in accordance with the statutes regulating criminal proceedings before Magistrates, and criminal proceedings in Probate Courts having criminal jurisdiction."

Strike out the word "freeholder," in line 2, of section 5, and insert the word "householder."

Add after section 9, a section as follows: "The jurisdiction conferred upon the Probate Court by this act shall not include the counties of Hamilton nor Cuyahoga, nor shall it be held as contracting the jurisdiction now had by any other Court, or any Magistrate for the punishment of misdemeanors in this or other cases."

Amend further by numbering said sections as amended, consecutively from section 3 to section 10.

LYMAN J. JACKSON, IRVINE DUNGAN,
W. P. HOWLAND, W. T. FORREST.
D. WAGENER,

Said amendments were agreed to, and the bill was ordered to be engrossed and read the third time on Wednesday next.

Mr. Grove presented the petition of Lewis B. Gunckel and 128 attorneys-at-law of Montgomery, Butler, Preble and Darke counties, praying for the election of one additional Common Pleas Judge for said subdivision of said second district.

Which was referred to the committee on Judiciary.

On motion of Mr. Beebe, the Senate adjourned.

Attest:

ALLEN O. MYERS, *Clerk.*

TUESDAY, *February* 18, 1879—10 o'clock A.M.

The Senate met pursuant to adjournment.

Prayer by Rev. R. G. Hutchins.

The Journal was read and approved.

Mr. Howland presented the petition of E. P. Baker and 35 other citizens of Monroe township, county of Ashtabula, asking for the passage of H. B. No. 619, by Mr. Quinby, for local option.

Which was referred to the committee on Sanitary Laws and Regulations.

Mr. Howland presented the memorial of Henry Tolcott and about 60 other citizens of Jefferson township, county of Ashtabula, as members of Jefferson Grange, No. 1311, asking for an amendment of the salary laws for all public officers, reducing the salaries to the lowest practicable standard that will furnish a fair remuneration for services rendered, based upon the higher standard of money.

Which was referred to the committee on Fees and Salaries.

Mr. Grove presented the memorial of Wyoming Grange.

Which was referred to the committee on Common Schools and School Lands.

Bills were read the second time and referred, as follows:

H. B. No. 715—Mr. Bohl—To revise and consolidate the statutes relat-

ing to persons, being title one, part two of the act to revise and consolidate the general statutes of Ohio.

Committee on the Judiciary.

H. B. No. 735—Mr. Klimper—Providing for the relief of street railroad companies in certain cases.

Committee on the Judiciary.

On motion of Mr. Jackson of Perry, the consideration of H. B. No. 628 was postponed until to-morrow.

The order of third readings was, on motion, postponed until this afternoon.

The following bills were introduced, and read the first time :

S. B. No. 284—Mr. Carson—To further regulate and prescribe the duties and rights of Probate Judges.

S. B. No. 285—Mr. Marsh—To authorize the purchase of additional fair-grounds for the use of County Agricultural Societies in certain cases, and to repeal a certain act herein named.

Mr. Dungan submitted the following report :

The joint committee on Enrollment have examined, and found correctly enrolled, the following bill :

H. B. No. 22—For the relief of ex-Union soldiers and their heirs.

IRVINE DUNGAN,	J. W. WASHBURN,
F. M. CARTER,	WM. JESSUP,
A. D. MARSH,	R. G. RICHARDS.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The Speaker of the House of Representatives has, in the presence of the House, signed the following bills :

H. B. No. 22—Mr. Dalzell—For the relief of ex-Union soldiers and their heirs.

H. B. No. 749—Mr. Hardy of Coshocton—To authorize the Agricultural Society of Coshocton county to borrow money to pay its indebtedness.

H. B. No. 357—Mr. Foster—To amend an act entitled an act to provide for the investment of funds detained in the hands of executors, agents, attorneys or officers, by reason of pending litigation.

Attest :

L. A. BRUNNER, *Clerk.*

The President, in presence of the Senate, signed said bills.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The House of Representatives has concurred in the passage of the following bill :

S. B. No. 251—Mr. Saltzgaber—Supplementary to an act entitled an act relating to ditches, passed April 12, 1871, (O. L., Vol. 68, p. 60), and the acts supplementary thereto and amendatory thereof.

Attest :

L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The following bills have been introduced in the House of Representatives, and read the first time :

H. B. No. 808 Mr. Eylar—To amend sections one and three of an act entitled an act to authorize and direct the Warden and Directors of the Ohio Penitentiary to construct gas-works for the State buildings within the city of Columbus, and to purchase and lay the necessary pipes, (O. L., 1873, pp. 46-47).

H. B. No. 809—Mr. Estill—To amend the act of May 11, 1878, entitled an act to amend and revise the statutes relating to taxation, to be known as title thirteen, part one of the act to revise and consolidate the general statutes, (Vol. 75, O. L., p. 436).

Attest :

L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The House of Representatives has passed the following bill, in which the concurrence of the Senate is requested :

H. B. No. 736—Mr. Tyler of Licking—To amend section thirty-three, of chapter eight of an act entitled an act to amend, revise and consolidate the statutes relating to crimes and offenses, and to repeal certain acts therein named, to be known as title one, crimes and offenses, part four of the act to revise and consolidate the general statutes of Ohio, passed May 5, 1877, (O. L., Vol. 74, p. 273).

Attest :

L. A. BRUNNER, *Clerk.*

Said bill was read the first time.

On motion of Mr. Beer, the Senate took a recess.

THREE O'CLOCK P.M.

Mr. Marsh moved that all bills for their third reading on to-day's calendar, be postponed until to-morrow.

Which was agreed to.

Mr. Forrest submitted the following report :

The standing committee on Judiciary, to whom was referred H. B. No. 592—To amend an act entitled an act for the incorporation of townships, passed March 14, 1853—having had the same under consideration, report it back, and recommend its passage.

W. T. FORREST, D. WAGENER,
W. P. HOWLAND, IRVINE DUNGAN.

Said bill was ordered to be engrossed and read the third time to-morrow.

Leave was granted the committee on Common Schools and School Lands to sit during the session of the Senate.

On motion of Mr. Joy, the Senate adjourned.

Attest :

ALLEN O. MYERS, *Clerk.*

WEDNESDAY, *February* 19, 1879—10 O'CLOCK A.M.

The Senate met pursuant to adjournment.

Prayer by Rev. R. G. Hutchins.

The Journal was read and approved.

Mr. Kelley presented the petition of S. J. Davis, Jno. Phillips and 120 other citizens of Lawrence county, remonstrating against any change in the present school law of Ohio, and more particularly do remonstrate against the bill now pending, which provides for the creation of a county school superintendent.

Which was referred to the committee on Common Schools and School Lands.

Mr. Kelley presented the remonstrance of Allen D. Kelley and 50 other citizens of Upper township, Lawrence county, remonstrating against the creation of a special school district in Upper township, Lawrence county, Ohio.

Which was referred to the committee on Common Schools and School Lands.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The House of Representatives has passed the following bill, in which the concurrence of the Senate is requested :

H. B. No. 747—Mr. Hardy of Defiance—Authorizing the Board of Public Works to grant or lease the south bank of Six-mile Reservoir, in Paulding county, to the Paulding and Antwerp Railroad Company, for a road-bed, under certain restrictions.

Attest :

L. A. BRUNNER, *Clerk.*

Said bill was read the first time.

Mr. Curtiss presented the remonstrance of M. E. Gallup and 42 other citizens of Strongsville, county of Cuyahoga, against the passage of Mr. Foster's bill, providing for establishing a county infirmary.

Which was referred to the committee on Finance.

The following bills were read the second time and referred, as follows :

H. B. No. 736—Mr. Tyler of Licking—To amend section thirty-three, of chapter eight of an act entitled an act to amend, revise and consolidate the statutes relating to crimes and offenses, and to repeal certain acts therein named, to be known as title one, crimes and offenses, part four of the act to revise and consolidate the general statutes of Ohio, passed May 5, 1877, (O. L., Vol. 74, p. 273.)

Mr. Marsh moved that said bill be referred to the committee on Fish Culture and Game.

Mr. Carlisle moved to substitute the committee on Agriculture.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 17, nays 14, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Benson, Carlisle, Carson, Forrest, Howland, Jackson of Perry, Johnston, Kelley, Owens, Saltzgaber, Seitz, Stokes, Tyler, Wagener and Williams—17.

Those who voted in the negative were—

Messrs. Beer, Curtiss, Dungan, Fisher, Grove, Irvine, Joy, Krimmel, Lord, Marsh, McDonald, Parker, Sherrick and Steedman—14.

So the motion to substitute was agreed to, and the bill was referred to the committee on Agriculture.

S. B. No. 284—Mr. Carson -- To further regulate and prescribe the duties and rights of Probate Judges.

Committee on the Judiciary.

S. B. No. 285—Mr. Marsh—To authorize the purchase of additional fair-grounds for the use of County Agricultural Societies, in certain cases, and to repeal a certain act herein named.

Committee on Agriculture.

On motion of Mr. Fisher, the consideration of bills on yesterday's calendar for third reading were first taken up.

Senate Substitute for House Substitute for H. B. No. 76—Mr. Foster—To amend sections three, twenty-four, twenty-seven, and twenty-eight, of chapter two, division three of an act entitled an act to revise and consolidate the laws relating to civil procedure in Courts of Common Pleas and Superior Courts, in District Courts on appeal, and also the laws relating to procedure in error, mandamus and quo warranto—was read the third time.

Mr. Johnston moved to refer the bill to a select committee of one, with instructions to amend as follows :

In section 1, lines 32 and 33, strike out the words "sitting of the court at which the cause is to be tried", and insert in lieu thereof the following: "trial of the cause for which said jury is to be struck."

Which was agreed to, and Mr. Johnston was appointed such committee, and reported the bill back amended as instructed.

Mr. Jackson of Perry moved to refer the bill to a select committee of one, with instructions to amend as follows :

In line 36, section 28, after the word "qualifying," insert: "and for the services of"; and strike out the words following the word "same," in line 36, to the word "and," in line 37; and strike out all following the word "costs," in line 37, to the word "and," in line 39.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 24, nays 5, as follow :

Those who voted in the affirmative were—

Messrs. Beebe, Beer, Benson, Carlisle, Curtiss, Fisher, Grove, Howland, Irvine, Jackson of Perry, Joy, Kelley, Lord, Marsh, McDonald, Owens, Parker, Saltzgaber, Seitz, Sherrick, Stokes, Tyler, Williams and Wilson—24.

Those who voted in the negative were—

Messrs. Armstrong, Dungan, Forrest, Johnston and Steedman—5.

So the motion was agreed to, and Mr. Jackson of Perry was appointed such committee, and reported the bill back amended as instructed.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 21, nays 10, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Carson, Fisher, Forrest, Grove, Howland, Jackson of Perry, Joy, Kelley, Marsh, McDonald, Owens, Parker, Seitz, Sherrick, Stokes, Tyler, Wagener and Williams—21.

Those who voted in the negative were—

Messrs. Benson, Carlisle, Curtiss, Dungan, Irvine, Johnston, Lord, Saltzgaber, Steedman and Wilson—10.

So the bill passed. The title was agreed to.

H. B. No. 628—Mr. Parker—To prevent the killing or injuring of quail or Virginia partridge, and prairie chickens—was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 22, nays 4, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Carlisle, Curtiss, Fisher, Howland, Jackson of Perry, Joy, Kelley, Lord, Marsh, McDonald, Owens, Seitz, Sherrick, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—22.

Messrs. Dungan, Krimmel, Parker and Saltzgaber voted in the negative.

So the bill passed. The title was agreed to.

H. B. No. 657—Mr. Marsh—To amend an act known as title one, crimes and offenses, part four of the act to revise and consolidate the general statutes of Ohio, passed May 5, 1877, (O. L., Vol. 74, p. 240)—was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 26, nays 1, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Carlisle, Curtiss, Dungan, Fisher, Howland, Irvine, Jackson of Perry, Johnston, Joy, Kelley, Krimmel, Lord, Marsh, McDonald, Owens, Parker, Saltzgaber, Seitz, Sherrick, Stokes, Tyler, Wagener and Williams—26.

Mr. Carson voted in the negative.

So the bill passed. The title was agreed to.

S. B. No. 245—Mr. Sherrick—Fixing the rate of interest, and to repeal a certain act therein named, (O. L., Vol 66, p. 91)—was read the third time.

Mr. Sherrick moved to refer the bill to a select committee of one, with instructions to amend as follows :

Add after the word "thereof," in section 1, line 6: "And in all decrees in equity for the payment of money, from the day specified in the said decree for the payment thereof, or if no day be specified, then from the day of the entering thereof." Strike out in line 6, section 1, the word "and."

Which was agreed to, and Mr. Sherrick was appointed such committee, and reported the bill back amended as instructed.

Mr. Saltzgaber moved to refer the bill to a select committee of one, with instructions to amend as follows :

Insert after "payment", in line 6, the words "and on amount due on account after three months from the time the indebtedness is created."

Mr. Carlisle moved to amend the amendment by striking out the word "three" where it precedes the word "months", and insert in lieu thereof the word "five".

Pending which, on motion of Mr. Jackson of Perry, the Senate took a recess.

THREE O'CLOCK P.M.

When the Senate took a recess, the pending question was on Mr. Carlisle's motion to amend Mr. Saltzgaber's amendment.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 4, nays 22, as follow :

Those who voted in the affirmative were—

Messrs. Carlisle, Carson, Krimmel and Saltzgaber—4.

Those who voted in the negative were—

Messrs. Armstrong, Beebe, Curtiss, Dungan, Fisher, Forrest, Grove, Howland, Johnston, Joy, Kelley, Lord, Marsh, McDonald, Parker, Seitz, Sherrick, Steedman, Stokes, Tyler, Williams and Wilson—22.

So the motion to amend the amendment was disagreed to.

The question recurring on Mr. Saltzgaber's motion, to refer with instructions, the yeas and nays were demanded, taken, and resulted—yeas 1, nays 27, as follow :

Mr. Johnston voted in the affirmative.

Those who voted in the negative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Carson, Curtiss, Fisher, Forrest, Grove, Howland, Joy, Kelley, Krimmel, Lord, Marsh, McDonald, Parker, Saltzgaber, Seitz, Sherrick, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—27.

So the motion was disagreed to.

Mr. Marsh moved to refer the bill to a select committee of one, with instructions to amend as follows :

Strike out all of section 2, and make section 3 section 2 of the bill.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 3, nays 27, as follow :

Those who voted in the affirmative were—

Messrs. Johnston, Marsh and Parker—3.

Those who voted in the negative were—

Messrs. Beebe, Beer, Benson, Carlisle, Carson, Curtiss, Dungan, Fisher, Forrest, Grove, Howland, Irvine, Joy, Kelley, Krimmel, Lord, McDonald, Owens, Saltzgaber, Seitz, Sherrick, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—27.

So the motion was disagreed to.

Mr. Owens moved to refer the bill to a select committee of one, with instructions to amend as follows :

At the end of line 1, section 1, add: "any man who is possessed of over one hundred dollars shall be compelled to loan the excess to any one who may wish to borrow, and that."

On which motion the yeas and nays were demanded, taken, and resulted—yeas 1, nays 25, as follow :

Mr. Owens voted in the affirmative.

Those who voted in the negative were—

Messrs. Armstrong, Benson, Carlisle, Carson, Dungan, Fisher, Forrest, Grove, Howland, Irvine, Johnston, Joy, Kelley, Krimmel, Lord, Marsh, McDonald, Parker, Saltzgaber, Seitz, Steedman, Stokes, Tyler, Wagener and Williams—25.

So the motion was disagreed to.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 13, nays 16, as follow :

Those who voted in the affirmative were—

Messrs. Benson, Carson, Dungan, Fisher, Forrest, Jackson of Perry, Joy, Lord, Seitz, Sherrick, Steedman, Stokes and Williams—13.

Those who voted in the negative were—

Messrs. Armstrong, Beebe, Carlisle, Curtiss, Grove, Howland, Johnston, Kelley, Krimmel, Marsh, McDonald, Owens, Parker, Saltzgaber, Tyler and Wilson—16.

So the bill, having failed to receive a constitutional majority, was lost.

Mr. Fisher submitted the following report:

The committee on Revision has examined, and found correctly engrossed, the Senate Substitute for House Substitute for H. B. No. 76.

J. C. FISHER,
J. M. CARSON,
G. M. SALTZGABER.

Mr. Krimmel submitted the following report:

The joint committee on Enrollment have examined, and found correctly enrolled, the following bill:

S. B. No. 251—Supplementary to an act entitled an act relating to ditches, passed April 12, 1871, (O. L., Vol. 68, p. 60), and the acts supplementary thereto and amendatory thereof.

C. F. KRIMMEL, Wm. JESSUP,
J. R. JOHNSTON, F. M. CARTER,
R. G. RICHARDS, E. S. PERKINS.
IRVINE DUNGAN,

Mr. Steedman moved that the Senate request the appointment of a committee of Conference on H. B. No. 576.

Which was agreed to.

On motion of Mr. Carson, the Senate took a recess until 10 o'clock to-morrow morning.

THURSDAY, *February* 20, 1879—10 o'clock A.M.

The Senate met pursuant to adjournment.

Prayer by Rev. R. G. Hutchins.

S. B. No. 259—Mr. Beebe—To authorize the Council of the city of Akron, Summit county, to levy a tax for building an armory—was read the third time.

Mr. Beebe moved that said bill be laid on the table.

Which was agreed to.

S. B. No. 267—Mr. Steedman—To provide for the redemption of lands sold at judicial sales—was read the third time.

Mr. Johnston moved to refer the bill to a select committee of one, with instructions to amend as follows:

At the close of section 2, add the following: "provided, that the provisions of this act shall not apply to rules made under contracts heretofore made, or judgments or decrees rendered prior to the taking effect thereof."

On which motion the yeas and nays were demanded, taken, and resulted—yeas 9, nays 16, as follow:

Those who voted in the affirmative were—

Messrs. Beer, Johnston, Kelley, Marsh, Owens, Richards, Sabine, Saltzgaber and Wilson—9.

Those who voted in the negative were—

Messrs. Armstrong, Benson, Carlisle, Carson, Dungan, Fisher, Joy, Lord, McDonald, Seitz, Sherrick, Steedman, Stokes, Tyler, Wagener and Williams—16.

So the motion was disagreed to.

On demand of Mr. Steedman, a call of the Senate was had.

Messrs. Curtiss, Howland and Krimmel were absent.

On motion of Mr. Steedman, further proceedings under the call were dispensed with.

Leave of absence was asked and obtained for Messrs. Curtiss and Howland for to-day.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 18, nays 11, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Benson, Carlisle, Carson, Dungan, Fisher, Forrest, Irvine, Joy, Lord, McDonald, Seitz, Sherrick, Steedman, Stokes, Tyler, Wagener and Williams—18.

Those who voted in the negative were—

Messrs. Beebe, Beer, Grove, Jackson of Perry, Johnston, Kelley, Owens, Richards, Sabine, Saltzgaber and Wilson—11.

So the bill passed. The title was agreed to.

S. B. No. 238—Mr. Irvine—To amend section twelve, of chapter two, of title thirteen of an act entitled an act to amend and revise the statutes relating to taxation, to be known as title thirteen, part one of the act to revise and consolidate the general statutes, (O. L., Vol. 75, p. 446)—was read the third time.

Mr. Wilson moved to refer the bill to a select committee of one, with instructions to amend as follows:

At the end of section 1, add: "and such receipts as are listed for taxation in the county where received, shall not be included for taxation in the assets of the company in the county where the home or principal office of the company is located".

Which was agreed to, and Mr. Wilson was appointed such committee, and reported the bill back amended as instructed.

Mr. Grove moved to refer the bill to a select committee of one, with instructions to amend as follows :

In line 2, after the word "of", strike out the words "this or."

Pending which, Mr. Beer moved that the bill and pending amendment be laid on the table.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 5, nays 21, as follow :

Those who voted in the affirmative were—

Messrs. Beebe, Beer, Forrest, Grove and Sabine - 5.

Those who voted in the negative were—

Messrs. Benson, Carlisle, Carson, Dungan, Fisher, Irvine Jackson of Perry, Johnston, Kelley, Lord, Marsh, McDonald, Parker, Saltzgaber, Seitz, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—21.

So the motion was disagreed to.

The question recurring on Mr. Grove's motion to refer with instructions—

The same was disagreed to.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 25, nays 1, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Benson, Carlisle, Carson, Dungan, Fisher, Forrest, Grove, Irvine, Jackson of Perry, Johnston, Joy, Kelley, Lord, McDonald, Parker, Richards, Sabine, Saltzgaber, Seitz, Steedman, Tyler, Wagener, Williams and Wilson—25.

Mr. Beer voted in the negative.

So the bill passed. The title was agreed to.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives accedes to the request of the Senate, and has appointed Messrs. Ellis, Booth and Quinby a Conference committee to consider the differences existing between the two Houses on—

H. B. No. 576—Mr. Ellis—To amend section twenty-six, of chapter eight of an act entitled an act to amend, revise and consolidate the statutes relating to crimes and offenses, and repeal certain acts therein named, to be known as title one, crimes and offenses, part four of the act to revise and consolidate the general statutes of Ohio, (O. L., Vol. 74, p. 271.)

Attest:

L. A. BRUNNER, *Clerk.*

The President appointed Messrs. Steedman, Parker and Richards as such Conference committee on part of the Senate.

Mr. Forrest moved that S. B. No. 206 be laid on the table.

Which was agreed to.

S. B. No. 243—Mr. Owens—To define and suppress tramps—was read the third time.

Mr. Saltzgaber moved to refer the bill to a select committee of one, with instructions to amend as follows:

By striking out of section 2, all after the word “thereof”, in line 7, and inserting in lieu thereof: “be confined in the jail of the county at hard labor for any term not more than six months”.

And add at the end of section 3: “and such Justice is authorized, upon a plea or finding of guilty, to sentence as above provided.”

On motion of Mr. Johnston, S. B. No. 243 and pending amendment was laid on the table.

Mr. Armstrong submitted the following report:

Your committee, to whom was referred S. R. No. 86—Authorizing an inquiry into the cause of the burning of the main building and dining-hall of the Soldiers' and Sailors' Orphans' Home of Ohio, and to ascertain what might be necessary for the care and protection of inmates and officers thereof—having carefully made the necessary investigations, submit the following report:

1. The evidence tends to show, that the fire originated in or about the rag-room, immediately beneath the clerk's office in the administration building, although said evidence does not clearly indicate the immediate cause of said fire.

2. Early action being deemed necessary by your committee, for the comfort and protection of the inmates of the Home, the committee, by bill accompanying this report, would suggest and urge that the Board of Trustees of said institution be at once authorized to rebuild the dining-hall section of said building, either by advertisement or otherwise, at their discretion. The walls, with a slight exception, are in good condition, and if said section is rebuilt at once, the cost thereof, according to estimate, will approximate \$7,500, and adding thereto cost of furniture, can not exceed \$9,000. Should there be delay, an increase of expense might, and probably would be the result.

The committee suggest that full power be granted said trustees to make the necessary contracts and take such measures necessary for the speedy construction of said dining-hall section.

3. The committee further finds, by estimates made approximately, that an appropriation for a sum approaching \$25,000 for rebuilding in ac-

cordance with the statutes the administration building should be made by the General Assembly. Should such sum be appropriated, the building will be made fire-proof. The walls, except in a few places, are sound, and, if legislation is speedy, can readily be used in rebuilding.

4. The officers, teachers and attendants of the Home, who had suffered loss by the fire, were examined separately, and the approximate loss, as shown by their testimony, is about \$8,500.

The committee are of the opinion that a fair compensation for such losses be allowed by the General Assembly.

J. M. ARMSTRONG,	C. F. KRIMMEL,
GEO. P. TYLER,	G. W. WILSON,
H. W. CURTISS,	W. H. STOKES.
J. B. WILLIAMS,	

Mr. Armstrong, from the committee on Soldiers' and Sailors' Orphans' Home, on leave, introduced the following bill, which was read the first time:

S. B. No. 286—Relating to the rebuilding of the Ohio Soldiers' and Sailors' Orphans' Home.

Mr. Armstrong moved that the constitutional rule, requiring bills to be read on three different days, be suspended, that S. B. No. 286 may be read the second time.

On which motion the yeas and nays were taken, and resulted—yeas 29, nays none, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Carson, Dungan, Fisher, Forrest Grove, Irvine, Jackson of Perry, Johnston, Joy, Kelley, Lord, Marsh, McDonald, Owens, Richards, Sabine, Saltzgaber, Seitz, Sherrick, Steedman, Stokes, Tyler, Williams and Wilson—29.

So the motion was agreed to, and the bill was read the second time.

Mr. Sherrick moved that the constitutional rule, requiring bills to be read on three different days, be suspended, that S. B. No. 286 may be read the third time.

On which motion the yeas and nays were taken, and resulted—yeas 29, nays none, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Carson, Dungan, Fisher, Forrest, Grove, Irvine, Jackson of Perry, Johnston, Joy, Kelley, Lord, Marsh, McDonald, Owens, Richards, Sabine, Saltzgaber, Seitz, Sherrick, Steedman, Stokes, Tyler, Williams and Wilson—29.

So the motion was agreed to, and the bill was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 27, nays none, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Dungan, Fisher, Forrest, Grove, Irvine, Jackson of Perry, Johnston, Kelley, Lord, Marsh, McDonald, Owens, Richards, Sabine, Saltzgaber, Seitz, Sherrick, Steedman, Stokes, Tyler, Williams and Wilson—27.

So the bill passed. The title was agreed to.

On motion of Mr. Jackson of Perry, S. B. No. 225 was laid on the table.

H. B. No. 592—Mr. Meuser—To amend an act entitled an act for the incorporation of townships, passed March 14, 1853—was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 19, nays 3, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Benson, Carlisle, Dungan, Fisher, Forrest, Grove, Irvine, Johnston, Lord, Marsh, McDonald, Richards, Seitz, Steedman, Stokes, Tyler and Williams—19.

Messrs. Jackson of Perry, Kelley and Saltzgaber voted in the negative.

So the bill passed. The title was agreed to.

The following bill was introduced, and read the first time :

S. B. No. 287 Mr. Beebe—To authorize the city of Akron to receive moneys in trust for the Akron Rural Cemetery Association.

MESSAGE FROM THE GOVERNOR.

THE STATE OF OHIO, EXECUTIVE DEPARTMENT,

COLUMBUS, 20th day of February, 1879.

To the Senate:

I have the honor to nominate, and by and with the advice and consent of the Senate, appoint Erastus F. Blair, of Brown county, to be a Director of the Ohio Penitentiary, for the unexpired term of Charles W. Boyd, resigned.

Very respectfully,

RICHARD M. BISHOP.

Mr. Johnston moved to refer said communication of the Governor to the committee on Penitentiary.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 8, nays 17, as follow :

Those who voted in the affirmative were—

Messrs. Beer, Dungan, Fisher, Forrest, Kelley, Marsh, Saltzgaber and Seitz—8.

Those who voted in the negative were—

Messrs. Armstrong, Beebe, Benson, Carlisle, Grove, Jackson of Perry, Johnston, Joy, Lord, McDonald, Richards, Sabine, Steedman, Stokes, Tyler, Williams and Wilson—17.

So the motion was disagreed to.

Mr. Tyler moved that the Senate advise and consent to said appointment.

On which motion the yeas and nays were taken, and resulted—yeas 21, nays 1, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Fisher, Grove, Jackson of Perry, Johnston, Joy, Kelley, Lord, Marsh, McDonald, Richards, Sabine, Steedman, Stokes, Tyler, Williams and Wilson—21.

Mr. Seitz voted in the negative.

So the Senate advised and consented to said appointment.

Leave of absence was asked and obtained for the committee on Finance for this afternoon.

MESSAGE FROM THE GOVERNOR.

THE STATE OF OHIO, EXECUTIVE DEPARTMENT,

COLUMBUS, 20th day of February, 1879.

To the General Assembly:

I have the honor to transmit herewith the report of the State Inspector of Mineral Oils, and respectfully request your attention thereto. There being but one copy of the same, it is sent to the Senate.

Very respectfully,

RICHARD M. BISHOP.

Mr. Lord moved that said communication be printed.

Mr. Forrest moved that said motion be laid on the table.

Which was agreed to.

Mr. Jackson of Perry moved that Messrs. Richards and Wilson be added to the sub-committee of the Judiciary committee, now considering S. B. No. 271.

Which was agreed to.

On motion of Mr. Carlisle, the Senate took a recess.

THREE O'CLOCK P.M.

Mr. Richards offered the following joint resolution:

S. J. R. No. 77: WHEREAS, The St. Mary's river, connecting lakes Huron and Superior, is at present inadequate in depth to meet the demands of inter-State commerce; and

WHEREAS, Congress has provided for the deepening and enlarging of the ship-canal around the St. Mary's Falls, to accommodate vessels laden, to a depth of sixteen feet; and

WHEREAS, The people of this State are especially interested in the commerce of Lake Superior, and will be directly benefited by the deepening of said river, and in the cheaper lake transportation that improvement, when made, will afford; therefore,

Be it resolved by the General Assembly of the State of Ohio, That Congress be, and it is hereby respectfully asked, to make the necessary appropriations to accomplish the deepening of the river sufficiently to float the largest of lake vessels.

Resolved, That, inasmuch as the canal around the St. Mary's Falls, heretofore built and now being enlarged by the United States, is of national importance, and should, therefore, be under the control of the General Government, Congress is also petitioned to accept the grant of the same made by the State of Michigan.

Resolved, That our Senators be instructed, and our Representatives be requested to favor such legislation as will best secure the aforesaid objects; and that the Governor be requested to transmit copies of this joint resolution to Congress.

On motion of Mr. Richards, said joint resolution was referred to the committee on Federal Relations.

On motion of Mr. Forrest, said joint resolution was ordered to be printed.

Mr. Jackson of Perry submitted the following report:

The standing committee on Judiciary, to whom was referred S. J. R. No.

67, having had the same under consideration, report it back, with the following amendments, and recommend its passage when so amended:

Strike out of section 5, line 17, all following the word "District", to the word "District", in line 23, and insert: "there shall be elected by the electors at large of such district, one Judge of the District Court, by whom the District Courts in such district shall be held, and he shall receive such compensation as may be provided by law."

Strike out all following the word "assembly", in line 25, to the word "may", in line 26.

Correct the printed form so as to separate the end of section 5 from the latter part of the resolution. Add at the end of the resolution: "and said original sections 3 and 5 shall be repealed."

D. WAGENER,	IRVINE DUNGAN,
LYMAN J. JACKSON,	W. B. HOWLAND,
W. T. FORREST,	G. M. SALTZGABER.

Said amendments were agreed to, and, on motion of Mr. Forrest, said joint resolution was laid on the table and ordered to be printed.

Mr. Forrest, on leave, introduced the following bill, which was read the first time:

S. B. No. 288—For the appointment of Deputy Commissioner of Costs and Fees, and to provide for the collection of costs and fees due in certain counties.

Mr. Steedman submitted the following report:

The committees of Conference, to whom were referred the matters of difference between the two Houses on H. B. No. 576, have had the same under consideration, and report that the committees have agreed as follows:

That the House concur in the amendments made to the bill by the Senate.

JAMES B. STEEDMAN,
R. G. RICHARDS,
C. S. PARKER.

Senate Committee.

LORENZO ELLIS,
H. J. BOOTH,
I. W. QUINBY,

House Committee.

The question being on agreeing to said report, the yeas and nays were taken, and resulted—yeas 24, nays none, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Benson, Carlisle, Carson, Dungan, Fisher, Forrest, Grove, Jackson of Perry, Joy, Kelley, Krimmel, Lord, Marsh, Parker, Richards, Sabine, Seitz, Steedman, Stokes, Tyler, Williams and Wilson—24.

So the report was agreed to.

Mr. Forrest submitted the following report:

The standing committee on Judiciary, to whom was referred S. B. No. 282—To protect the rights of sepulture having had the same under consideration, report it back, with the following amendments, and recommend its passage when so amended:

Section 1, in line 2, after "company," insert "hereafter." In line 3, after "with," insert "any and." In line 4, after "possession," insert "or

control." In line 5, after "in", insert "exemplary;" and before "exceeding," insert: "less than five hundred dollars nor."

W. T. FORREST,	LYMAN J. JACKSON,
J. R. JOHNSTON,	D. WAGENER.
IRVINE DUNGAN,	

Said amendments were agreed to, and the bill was ordered to be engrossed and read the third time on Wednesday next.

Mr. Forrest submitted the following report:

The standing committee on Judiciary, to whom was referred S. B. No. 212—To assist Law Library Associations in cities of the second class—having had the same under consideration, report it back, and recommend its indefinite postponement.

W. T. FORREST,	W. P. HOWLAND,
LYMAN J. JACKSON,	IRVINE DUNGAN.
D. WAGENER,	

Said report was agreed to.

Mr. Forrest submitted the following report:

The standing committee on Judiciary, to whom was referred S. B. No. 283—To amend section six, chapter seven of an act entitled an act to revise and consolidate the laws relating to procedure in Probate Courts, passed May 7, 1878, (O. L., Vol. 75, p. 95)—having had the same under consideration, report it back, and recommend its passage.

W. T. FORREST,	W. P. HOWLAND,
LYMAN J. JACKSON,	IRVINE DUNGAN.
D. WAGENER,	

Said bill was ordered to be engrossed and read the third time on Wednesday next.

Mr. Forrest submitted the following report:

The standing committee on Judiciary, to whom was referred S. J. R. No. 76—In relation to the case of William Cummings, Treasurer of Lucas county, Ohio, against the Merchants' National Bank, pending in the Supreme Court of the United States—having had the same under consideration, report it back, and recommend its adoption.

W. T. FORREST,	IRVINE DUNGAN,
W. P. HOWLAND,	D. WAGENER.
LYMAN J. JACKSON,	

The question being on the adoption of the joint resolution, the yeas and nays were taken, and resulted—yeas 24, nays none, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Benson, Carlisle, Carson, Dungan, Fisher, Forrest, Grove, Irvine, Jackson of Perry, Joy, Kelley, Krimmel, Lord, Marsh, Parker, Richards, Sabine, Seitz, Steedman, Stokes, Tyler, Williams and Wilson—24.

So said joint resolution was adopted.

Mr. Carson submitted the following report:

The standing committee on Finance, to whom was referred H. B. No. 702—To authorize the Council of the incorporated village of New London, Huron county, Ohio, to levy a tax for the purpose of purchasing a town-clock—having had the same under consideration, report it back, and recommend its passage.

J. M. CARSON,	H. C. LORD,
H. W. CURTISS,	J. SHERRICK.
THOS. M. BEER,	

Said bill was ordered to be engrossed and read the third time on Wednesday next.

Mr. Carson submitted the following report:

The standing committee on Common Schools and School Lands, to whom was referred S. B. No. 260—To authorize the creation of an additional school sub-district in Beaver Creek township, Greene county, Ohio—having had the same under consideration, report it back, and recommend its passage.

R. G. RICHARDS, D. WAGENER,
G. A. GROVE, H. C. LORD.
THOS. M. BEER,

Said bill was ordered to be engrossed and read the third time next Thursday.

Mr. Dungan submitted the following report:

The standing committee on Judiciary, to whom was referred S. B. No. 221—Supplementary to an act entitled an act to preserve the purity of elections—having had the same under consideration, report it back, with following amendments, and recommend its passage when so amended:

In section 1, lines 4 and 5, strike out “or to give or treat to any drinks of any malt, vinous or other spirituous liquors.”

In section 1, line 12, after “generally,” insert: “or to influence him or them to vote, or to refrain from voting.”

In line 13, strike out “the customary.”

In section 2, line 6, strike out “declared vacant”, and insert: “made vacant by conviction.”

In section 3, line 7, after “laborers”, insert: “or agent of such employer”.

In line 12, atfter “elector”, insert: “or to influence him to vote, or to refrain from voting.”

In line 13, strike out “misdemeanor”, and insert “felony”.

In section 4, line 5, after “bribery”, insert: “and shall be fined not less than one hundred dollars.”

W. T. FORREST, IRVINE DUNGAN,
G. M. SALTZGABER, D. WAGENER.
LYMAN J. JACKSON,

Said amendments were agreed to, and the bill was ordered to be engrossed and read the third time on Thursday next.

Mr. Forrest submitted the following report:

The standing committee on Currency, to whom was referred H. B. No. 266—To require private bankers to make semi-annual statements and publish the same—having had the same under consideration, report it back, with the following substitute, and recommend its passage when so amended:

Substitute for H. B. No. 266—Mr. Van Cleaf—To amend an act to provide for obtaining and publishing reports of banks, savings institutions and trust companies organized under the laws of this State, passed March 31, 1877, (O. L., Vol. 74, p. 72):

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That sections 1, 2 and 3 of above recited act be amended so as to read as follows:

SEC. 1. That each and every banking institution, firm, individual, or incorporation engaged in the business of banking, organized under the laws of this State, shall make a report to the Auditor of State, showing the condition thereof, before the commencement of business on the first Monday of the months of April and October of each year: provided, that institutions known as banking [building] or loan institutions, organized

and conducted under the statutes for such institutions, and not doing a banking business, shall not be included in the provisions of this bill.

SEC. 2. That the Auditor of State shall issue his requisition upon all banking institutions, and firms, or individuals engaged in banking, for the reports required to be made by section one of this act, a convenient number of days prior to the first day of April and October of each year, and each banking institution, firm, or individual engaged in banking, shall, upon receipt thereof, immediately forward to the Auditor a balanced report of its condition, verified by the oath or affirmation of one or more of the officers of such institution or banking house, and shall also publish such report in full, at its own expense, in some newspaper printed and published where such institution or banking house is located, or if there be no newspaper published in that place, then in one nearest thereto; and any banking institution, firm, or individual engaged in banking, neglecting to make and transmit to the Auditor of State and publish such report, shall, after the expiration of five days from the receipt of the requisition thereof, be subject to a penalty of thirty dollars for each day's delay, which penalty may be collected by a suit to be brought by the Auditor of State, or by any other person interested as depositor or creditor, before any Court of competent jurisdiction in the district wherein such institution or banking house may be located; and all sums of money collected for penalties under this section, shall be paid into the Treasury of the State.

SEC. 3. That all banks, trust companies, savings associations, savings banks, firms and individuals engaged in banking, and other banking institutions having capital stock, shall report their resources and liabilities in the following form :

Report of the condition of "The _____," at _____, in the State of _____, before the commencement of business on the first Monday of _____, 187—.

DR.

CR.

Resources.	Dollars.	Cts.	Liabilities.	Dollars.	Cts.
1. Loans on real estate.....			1. Capital stock paid in.....		
2. All other loans and discounts and the rates thereof, and the amount loaned to, or secured by, the stockholders or partners.....			2. Surplus fund.....		
3. Overdrafts.....			3. Undivided profits.....		
4. United States bonds on hand....			4. State bank notes outstanding...		
5. State bonds....			5. Dividends unpaid.....		
6. Other stocks, bonds and mortgages.....			6. Individual deposits and the rate paid therefor.....		
7. Due from other banks and bankers.....			7. Due to banks and bankers.....		
8. Real estate.....			8. Notes and bills rediscounted...		
9. Furniture and fixtures.....			9. Bills payable.....		
10. Current expenses.....					
11. Premium on bonds.....					
12. Cash items.....					
13. Gold coin, \$—; silver coin, \$—.....					
14. National bank notes.....					
15. United States notes.....					
Total.....			Total.....		

STATE OF _____,
County of _____.
Sworn to and subscribed before me this _____
day of _____, 187—.

I, _____, _____ of "The _____," do
solemnly swear that the above statement is true,
to the best of my knowledge and belief.

Cashier.

SEC. 2. That sections one, two and three, of the act to which this is amendatory, be and are hereby repealed, and this act shall take effect and be in force from and after its passage.

JAMES B. STEEDMAN, B. W. CARLISLE,
W. T. FORREST, J. C. McDONALD.

Mr. Kelley submitted the following minority report :

The undersigned, member of the standing committee on Currency, to whom was referred H. B. No. 266, by Mr. Van Cleaf, respectfully presents a minority report, and as my reasons for so doing and for not concurring in the report of the majority of said committee, viz. :

That I regard the bill as being an innovation upon the rights of private individuals, and an attempt to exercise a censorship over the same that is unwarranted, unnecessary, and unjust. I recognize the right of the law-making power to regulate and supervise the business of companies of its own creation ; but I deny the right to interfere in any manner with the legitimate business of the private citizens. The business of banking, as contemplated by the bill, is proper and legitimate, and I regard it as improper and unnecessary to place upon the business or citizens engaged in it any of the restrictions or limitations provided for in the bill. It must tend to cripple and embarrass all enterprise in this direction, and for this, as well as the foregoing, I present this report dissenting from the views of the majority of the committee.

LINDSEY KELLEY.

The question being on agreeing to the report—

Mr. Kelley moved that the report be laid on the table, and that the substitute be printed.

Mr. Forrest demanded a division of the question.

The question being on laying the report on the table, the yeas and nays were demanded, taken, and resulted—yeas 9, nays 14, as follow :

Those who voted in the affirmative were—

Messrs. Beebe, Carlisle, Kelley, Krimmel, Lord, Marsh, Richards, Sabine and Wilson—9.

Those who voted in the negative were—

Messrs. Armstrong, Benson, Carson, Dungan, Fisher, Forrest, Joy, McDonald, Parker, Seitz, Steedman, Stokes, Tyler and Williams—14.

So the motion to lay on the table was disagreed to.

The question being on the adoption of the report of the committee—

The same was agreed to.

Said bill was then ordered to be engrossed and read the third time on Thursday next.

Mr. Richards submitted the following report :

The joint committee on Enrollment has examined, and found correctly enrolled, the following bill :

H. B. No. 592—To amend an act entitled an act for the incorporation of townships, passed March 14, 1853.

IRVINE DUNGAN, E. S. PERKINS,
DUNCAN DOW, WM. JESSUP,
J. W. WASHBURN, F. M. CARTER.
R. G. RICHARDS,

Mr. Stokes submitted the following report :

The standing committee on Agriculture, to whom was referred S. B. No. 285—To authorize the purchase of additional fair-grounds for the use of county agricultural societies in certain cases, and to repeal a certain

act herein named—having had the same under consideration, report it back, and recommend its passage.

W. H. STOKES,	B. W. CARLISLE,
H. SABINE,	JOHN H. BENSON,
J. B. WILLIAMS,	J. M. CARSON.

Said bill was ordered to be engrossed and read the third time on Wednesday next.

Mr. Williams submitted the following report :

The standing committee on Agriculture, to whom was referred S. B. No. 232—To amend section four of an act entitled an act to protect agricultural fairs and fair-grounds, passed April 11, 1856, (S. & C., p, 65)—having had the same under consideration, report it back, and recommend its passage.

J. B. WILLIAMS,	B. W. CARLISLE,
WM. H. STOKES,	J. M. CARSON,
JOHN H. BENSON,	H. SABINE.

Said bill was ordered to be engrossed and read the third time on Thursday next.

Mr. Carlisle submitted the following report :

The standing committee on Agriculture, to whom was referred H. B. No. 793—To authorize the County Commissioners of Knox county to aid the County Agricultural Society of said county—having had the same under consideration, report it back, with the following amendment, and recommend its passage when so amended :

At the end of section 1, add the following: "Provided, however, that the question of paying said money to said society shall be submitted to the voters of said county, at the election to be held on the first Monday in April next, and if at said election a majority of those voting shall vote in favor of paying said money, then said Commissioners of said county are authorized to pay over said money to said Agricultural Society in accordance with the provisions of this act."

B. W. CARLISLE,	J. M. CARSON,
WM. H. STOKES,	H. SABINE.
JOHN H. BENSON,	

Said amendment was agreed to, and the bill was ordered to be engrossed and read the third time on Wednesday next.

Mr. Stokes submitted the following report :

The standing committee on Agriculture, to whom was referred H. B. No. 736—To amend section thirty-three, of chapter eight of an act entitled an act to amend, revise and consolidate the statutes relating to crimes and offenses, and to repeal certain acts therein named, to be known as title one, crimes and offenses, part four of an act to revise and consolidate the general statutes of Ohio, passed May 5, 1877, (O. L., Vol. 74, p. 273)—having had the same under consideration, report it back, and recommend its passage.

J. B. WILLIAMS,	B. W. CARLISLE,
J. M. CARSON,	J. H. BENSON,
H. SABINE,	W. H. STOKES.

Said bill was ordered to be engrossed and read the third time on Wednesday next.

Mr. Seitz submitted the following report :

The standing committee on Salaries and Fees of Public Officers, to whom was referred S. J. R. No. 55—Proposing an amendment to Article

X. of the Constitution —having had the same under consideration, report it back, with the following amendments, and recommend its adoption when so amended:

In line 14, strike out "fourteen", and insert "sixteen"; and strike out "\$1,400", and insert "\$1,600."

In line 16, strike out "seventeen", and insert "eighteen"; and strike out "\$1,700," and insert "\$1,800."

In line 18, strike out "nineteen hundred", and insert "two thousand;" and strike out "\$1,900," and insert "\$2,000."

In line 20, strike out "twenty-one", and insert "twenty-four"; and strike out "\$2,100", and insert "\$2,400."

In line 22, strike out "twenty-eight hundred", and insert "three thousand"; and strike out "\$2,800", and insert "\$3,000."

In line 27, strike out all from and including "and", to the word and figures "200,000", in line 33, and insert: "not more than five thousand dollars (\$5,000) for the first 75,000 inhabitants, and one hundred dollars for every additional one thousand inhabitants over 75,000.")

In line 38, strike out "six", and insert "five."

In line 40, strike out "six", and insert "five."

JOHN SEITZ,

JAS. B. STEEDMAN,

G. M. SALTZGABER,

THEO. MARSH.

JOHN H. BENSON,

Mr. Seitz moved that the consideration of said joint resolution be postponed until Thursday next.

Which was agreed to.

On motion of Mr. Seitz, said joint resolution, as amended by the committee, was ordered to be printed.

Mr. Forrest offered the following joint resolution:

S. J. R. No. 78: *Be it resolved by the General Assembly of the State of Ohio,* That our Senators in Congress be instructed, and our Representatives are hereby requested to have the laws of the United States so modified, as to permit criminal causes to be removed by proceedings in error from the District Courts of the United States to the Circuit and Supreme Court of the United States.

On motion of Mr. Forrest, said joint resolution was referred to the committee on Federal Relations.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The Speaker of the House of Representatives has, in the presence of the House, signed the following bill:

H. B. No. 592 —Mr. Meuser—To amend an act entitled an act for the incorporation of townships, passed March 14, 1853.

Attest:

L. A. BRUNNER, *Clerk.*

The President, in presence of the Senate, signed said bill.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has adopted the following joint resolution:

H. J. R. No. 96—Mr. Hitchcock—Authorizing the Librarian to extend the privileges of State Library to officers of United States Signal Station at Columbus, Ohio.

Attest :

L. A. BRUNNER, *Clerk*.

On motion of Mr. Seitz, said joint resolution was referred to the committee on Library.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The following bills have been introduced in the House of Representatives, and read the first time :

H. B. No. 810—Mr. Klimper—To provide for the security of persons dealing with commission merchants.

H. B. No. 811—Mr. Elliott—To authorize the Council of the city of Delaware to issue bonds for the purpose of purchasing a site and erecting thereon a building for an engine-house, Mayor's office, Council-room, city prison and armory.

H. B. No. 812—Mr. Hostetter—To provide for the straightening, cleaning out, widening, deepening, and otherwise improving Mud creek and Greenville creek, also their tributaries in Darke county.

H. B. No. 813—Mr. Leggett—To amend section seven of an act entitled an act to provide against the evils resulting from the sale of intoxicating liquors in the State of Ohio, passed May 1, 1854, (S. & C., 1431), as amended April 18, 1870, (Vol. 67, p. 101), as amended February 18, 1875, (Vol. 75, p. 35).

H. B. No. 814—Mr. Smead To authorize the Council of villages to borrow money and issue bonds to construct vaults for the reception of the dead.

H. B. No. 815—Mr. Turner—To authorize cities of the second grade of the second class to borrow money in anticipation of taxes.

H. B. No. 816—Mr. Loder—Further to preserve the purity of elections.

Attest :

L. A. BRUNNER, *Clerk*.

On motion of Mr. Lord, the Senate adjourned until to-morrow morning at 8 o'clock.

Attest :

ALLEN O. MYERS, *Clerk*.

FRIDAY, February 21, 1879—8 o'clock A.M.

The Senate met pursuant to adjournment.

The Journal was read and approved.

Mr. Parker asked and obtained leave to record his vote on S. B. No. 286—Relating to an appropriation for the Soldiers' and Sailors' Orphans' Home, and his name being called, he voted "aye."

On motion of Mr. Richards the substitute for H. B. No. 266 was ordered to be printed.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The House of Representatives has concurred in the passage of the following bill :

S. B. No. 286—Mr. Armstrong—Relating to the rebuilding of the Ohio Soldiers' and Sailors' Orphans' Home.

Attest:

L. A. BRUNNER, *Clerk*.

Mr. Dungan submitted the following report:

The joint committee on Enrollment has examined, and found correctly enrolled, the following bill:

S. B. No. 286—Relating to the rebuilding of the Ohio Soldiers' and Sailors' Orphans' Home.

IRVINE DUNGAN,
R. G. RICHARDS,
F. M. CARTER,

C. R. HARMON,
J. W. WASHBURN,
WM. JESSUP.

Mr. Richards submitted the following report:

The joint committee on Enrollment has examined, and found correctly enrolled, the following bills:

H. B. No. 628—To prevent the killing or injuring of quail or Virginia partridge, and prairie chickens.

H. B. No. 657—To amend an act known as title one, crimes and offenses, part four of the act to revise and consolidate the general statutes of Ohio, passed May 5, 1877, (O. L., Vol. 74, p. 240.)

R. G. RICHARDS,
IRVINE DUNGAN,
J. W. WASHBURN,
E. S. PERKINS,

C. R. HARMON,
DUNCAN DOW,
WM. JESSUP,
F. M. CARTER.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The Speaker of the House of Representatives has, in the presence of the House, signed the following bills:

H. B. No. 628—Mr. Parker—To prevent the killing or injuring of quail or Virginia partridge, and prairie chickens.

H. B. No. 657—Mr. Marsh—To amend an act known as title one, crimes and offenses, part four of the act to revise and consolidate the general statutes of Ohio, passed May 5, 1877, (O. L., Vol. 74, p. 240).

S. B. No. 251—Mr. Saltzgaber—Supplementary to an act entitled an act relating to ditches, passed April 12, 1871, (O. L., Vol. 68, p. 60), and the acts supplementary thereto and amendatory thereof.

S. B. No. 286—Mr. Armstrong—Relating to the rebuilding of the Ohio Soldiers' and Sailors' Orphans' Home.

Attest:

L. A. BRUNNER, *Clerk*.

The President, in presence of the Senate, signed said bills.

Mr. Forrest moved that the Senate adjourn.

Which was agreed to.

The President, in pursuance of S. R. No. 70, announced that the Senate would stand adjourned until Tuesday next at 3 o'clock P.M.

Attest:

ALLEN O. MYERS, *Clerk*.

TUESDAY, *February* 25, 1879—3 O'CLOCK, P.M.

The Senate met pursuant to adjournment.

Prayer by Rev. S. A. Keen.

The Journal was read and approved.

Bills were read the second time and referred, as follows :

H. B. No. 747—Mr. Hardy of Defiance—Authorizing the Board of Public Works to grant or lease the south bank of Six-mile Reservoir, in Paulding county, to the Paulding and Antwerp Railroad Company, for a road-bed, under certain restrictions.

Committee on Public Works and Public Lands.

S. B. No. 287—Mr. Beebe—To authorize the city of Akron to receive money in trust for the Akron Rural Cemetery Association.

Committee on Municipal Corporations.

S. B. No. 288—Mr. Forrest—For the appointment of Deputy Commissioner of Costs and Fees, and to provide for the collection of costs and fees due in certain counties.

Committee on Fees and Salaries.

H. B. No. 699—Mr. Bohl—To amend section twenty-three, of chapter one, division five of an act to revise and consolidate the laws relating to civil procedure in Courts of Common Pleas and Superior Courts, in District Courts on appeal, and also the laws relating to procedure in error, mandamus and quo warranto, (O. L., Vol. 75, p. 684)—was read the third time.

On motion of Mr. Marsh, said bill was laid on the table.

S. B. No. 253—Mr. Steedman—To amend section thirty-four, chapter four, division seven of an act to amend, revise and consolidate the statutes relating to municipal corporations, to be known as title twelve, part one of the act to revise and consolidate the general statutes of Ohio, passed May 14, 1878, (Municipal Code, p. 320; also, Statutes of 1878, p. 320)—was read the third time.

On motion of Mr. Richards, further consideration of said bill was postponed until to-morrow.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The following bills have been introduced in the House of Representatives, and read the first time :

H. B. No. 817—Mr. Levering—To amend section one of an act entitled an act relating to incorporated villages which, by the federal census of 1870 had, and which by any subsequent federal census may have a population of one thousand and eighty-seven.

H. B. No. 818—Mr. Sturgeon—Supplementary to chapter four of an act passed May 4, 1878, entitled an act to revise and consolidate the laws relating to procedure in the Probate Court, (75, O. L., 836.)

H. B. No. 819—Mr. Dawson—Relating to incorporated villages which, by the federal census of 1870 had, and which by any subsequent federal census may have a population of two thousand eight hundred and eighteen.

H. B. No. 820—Mr. Washburn—Relating to the selection of jurors.

H. B. No. 821—Mr. Crosson—Authorizing the Council of the village of Milford to transfer certain funds.

Attest :

L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The House of Representatives has passed the following bill, in which the concurrence of the Senate is requested :

H. B. No. 632—Mr. Worley—To authorize the Commissioners of Stark county and the City Council of the city of Canton, Ohio, to compromise with the sureties of Geo. Fessler, late Treasurer of said county, and ex-officio Treasurer of said city.

Attest :

L. A. BRUNNER, *Clerk.*

Said bill was read the first time.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The House of Representatives has adopted the following joint resolution, in which the concurrence of the Senate is requested :

H. J. R. No. 95—Mr. McCoy of Lawrence—To request the Board of Trustees of the Ohio Soldiers' and Sailors' Orphans' Home to furnish information therein named.

Attest :

L. A. BRUNNER, *Clerk.*

On motion of Mr. Stokes, said joint resolution was referred to the committee on Soldiers' and Sailors' Orphans' Home.

MESSAGE FROM THE GOVERNOR.

THE STATE OF OHIO, EXECUTIVE DEPARTMENT,

COLUMBUS, 24th day of February, 1879.

To the Senate :

I have the honor to nominate, and by and with the advice and consent of the Senate, appoint Barnabus Burns, of Mansfield, Richland county, to be a Trustee of the Ohio Soldiers' and Sailors' Orphans' Home, for the term of five years from the first day of January, A.D. 1879.

Very respectfully,

RICHARD M. BISHOP.

Referred to the committee on Soldiers' and Sailors' Orphans' Home.
On motion of Mr. Richards, the Senate adjourned.

Attest :

ALLEN O. MYERS, *Clerk.*

WEDNESDAY, February 26, 1879—10 o'clock A.M.

The Senate met pursuant to adjournment.

The Journal was read and approved.

Mr. Kelley presented the remonstrance of Howell G. Hopkins and 200 other citizens of Upper township, Lawrence county, against the passage

of a bill to create a special school district in Upper township, Lawrence county.

Which was referred to the committee on Common Schools and School Lands.

Mr. Sherrick presented the petition of Levi Stump and 117 other citizens of Stark county, asking this General Assembly to reduce the fees and salaries of county and State officials, etc.

Which was referred to the committee on Fees and Salaries.

Mr. Kelley presented the petition of 82 employes of Newcomb & Witman, citizens of Lawrence county, praying for the repeal of the laws of 1878 which prohibit the use (by manufacturers) of orders (commonly called scrip); also remonstrate against the passage of any more bills prohibiting the use of scrip-orders.

Which was referred to the committee on Manufactures and Commerce.

Mr. Richards presented the petition of Robert Torrence and 209 other citizens of Jefferson county, for the submission to the people of a constitutional amendment for the prohibition of the manufacture and sale of intoxicating drinks within the State.

Which was referred to the committee on Sanitary Laws and Regulations.

Mr. Saltzgaber presented the petition of J. W. Shell and 300 other citizens of Van Wert county, asking relief for bondsmen of Peter Feigert, late Treasurer of said county.

Which was referred to the committee on Geological Survey.

Mr. Jackson of Perry presented the memorial of the Shawnee, Hocking Valley and Columbus Railroad Company, of Columbus, Ohio.

Which was referred to the committee on Public Works and Public Lands.

Mr. Tyler presented the petition of L. H. Williams and 33 other National Guards, of Ripley, Brown county, asking the passage of a law to pay the expenses of transportation to and from their annual encampment, and to furnish rations while in camp.

Which was referred to the committee on Military Affairs.

The following bill was read the second time and referred:

H. B. No. 632—Mr. Worley—To authorize the Commissioners of Stark county and the City Council of the city of Canton, Ohio, to compromise with the sureties of George Fessler, late Treasurer of said county, and ex-officio Treasurer of said city.

Committee on Finance.

H. B. No. 702—Mr. Williamson—To authorize the town Council of the incorporated village of New London, Huron county, Ohio, to levy a tax for the purpose of purchasing a town-clock—was read the third time.

On motion of Mr. Curtiss, said bill was laid on the table.

H. B. No. 736—Mr. Tyler of Licking—To amend section thirty-three, of chapter eight of an act entitled an act to amend, revise and consolidate the statutes relating to crimes and offenses, and to repeal certain acts therein named, to be known as title one. crimes and offenses, part four of the act to revise and consolidate the general statutes of Ohio, passed May 5, 1877, (O. L., Vol. 74, p. 273)—was read the third time.

Mr. Marsh moved to refer the bill to a select committee of one, with instructions to amend as follows:

Strike out in line 14, section 1, after the word "dollars," the words "or imprisoned not more than thirty nor less than five days, or both."

On which motion the yeas and nays were demanded, taken, and resulted—yeas 6, nays 21, as follow :

Those who voted in the affirmative were—

Messrs. Dungan, Joy, Krimmel, Marsh, Saltzgaber and Sherrick—6.

Those who voted in the negative were—

Messrs. Armstrong, Beebe, Benson, Carlisle, Carson, Curtiss, Fisher, Forrest, Grove, Howland, Jackson of Clinton, Jackson of Perry, Owens, Richards, Sabine, Seitz, Stokes, Tyler, Wagener, Williams and Wilson—21.

So the motion was disagreed to.

The question being “Shall the bill pass?” the yeas and nays were taken, and resulted—yeas 22, nays 6, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Benson, Carlisle, Carson, Curtiss, Fisher, Forrest, Grove, Howland, Jackson of Clinton, Jackson of Perry, Kelley, Owens, Richards, Sabine, Seitz, Stokes, Tyler, Wagener, Williams and Wilson—22.

Those who voted in the negative were—

Messrs. Irvine, Dungan, Joy, Krimmel, Marsh and Saltzgaber—6.

So the bill passed. The title was agreed to.

H. B. No. 793—Mr. Hart—To authorize the County Commissioners of Knox county to aid the County Agricultural Society of said county—was read the third time.

On motion of Mr. Benson, said bill was laid on the table.

On motion of Mr. Benson, said bill was ordered to be printed.

Leave of absence was asked and obtained for Mr. Lord until to-morrow.

On motion of Mr. Marsh, S. B. No. 209 was ordered to be placed on the calendar for third reading to-morrow.

S. B. No. 282—Mr. Jackson of Perry—To protect the rights of sepulture—was read the third time.

The question being “Shall the bill pass?” the yeas and nays were taken, and resulted—yeas 24, nays none, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Benson, Carson, Dungan, Fisher, Forrest, Grove, Howland, Irvine, Jackson of Clinton, Jackson of Perry, Joy, Kelley, Krimmel, Marsh, Owens, Richards, Sabine, Saltzgaber, Stokes, Tyler, Williams and Wilson—24.

So the bill passed. The title was agreed to.

S. B. No. 283—Mr. Tyler—To amend section six, chapter seven of an act entitled an act to revise and consolidate the laws relating to procedure in the Probate Court, passed May 7, 1878, (O. L., Vol. 75, p. 957)—was read the third time.

The question being “Shall the bill pass?” the yeas and nays were taken, and resulted—yeas 19, nays 6, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Benson, Carson, Curtiss, Forrest, Howland, Jackson of Clinton, Jackson of Perry, Joy, Krimmel, Marsh, Owens, Richards, Sabine, Sherrick, Tyler, Williams and Wilson—19.

Those who voted in the negative were—

Messrs. Dungan, Fisher, Grove, Saltzgaber, Seitz and Wagener—6.

So the bill passed. The title was agreed to.

S. B. No. 285—Mr. Marsh—To authorize the purchase of additional fair-grounds for the use of County Agricultural Societies, in certain cases, and to repeal a certain act herein named—was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 22, nays 1, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Benson, Carson, Curtiss, Dungan, Fisher, Grove, Howland, Irvine, Jackson of Clinton, Jackson of Perry, Kelley, Krimmel, Marsh, Owens, Saltzgaber, Sherrick, Stokes, Tyler, Williams and Wilson—22.

Mr. Forrest voted in the negative.

So the bill passed.

Mr. Marsh moved to amend the title by adding thereto the words: "O. L., Vol. 68, p. 89."

Which was agreed to. The title as amended was then agreed to.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has adopted the following joint resolution, in which the concurrence of the Senate is requested:

H. J. R. No. 86—Mr. Bohl—To examine into charges made against railroads discriminating in rates of freights.

Attest:

L. A. BRUNNER, *Clerk*.

Mr. Richards moved that said joint resolution be referred to the committee on Corporations other than Municipal.

Which was agreed to.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has adopted the following joint resolution, in which the concurrence of the Senate is requested:

H. J. R. No. 94—Mr. Bohl—Granting the Government right of way through certain State works.

Attest:

L. A. BRUNNER, *Clerk*.

Mr. Saltzgaber moved that said joint resolution be referred to the committee on Public Works and Public Lands.

Which was agreed to.

The President laid before the Senate the following communication:

SENATE CHAMBER, COLUMBUS, *February 26, 1879.*

TO LIEUTENANT-GOVERNOR FITCH, *President of the Senate:*

SIR: Being on eight committees, and chairman of three, and one of the eight, the Judiciary, being overburdened by reason of the codification of the laws, I prefer to work upon that committee; therefore, I resign my place on the Finance committee, and ask to be relieved from duty on that committee.

Respectfully,

IRVINE DUNGAN.

Said request of Mr. Dungan was, on motion, granted.

On motion of Mr. Benson, the Senate took a recess.

THREE O'CLOCK P.M.

Mr. Curtiss submitted the following report :

The standing committee on Finance, to whom was referred—H. B. No. 711—To authorize the transfer of certain funds in the township of Bedford, Cuyahoga county, to other funds in said township—having had the same under consideration, report it back, and recommend its passage.

H. W. CURTISS, J. SHERRICK,
J. M. CARSON, H. C. LORD.
THOS. M. BEER,

Said bill was ordered to be engrossed and read the third time to-morrow.

The following bills were introduced, on leave, and read the first time:

S. B. No. 289—Mr. Curtiss—To amend an act entitled an act to provide for the proof, acknowledgment and recording of deeds and other instruments of writing, passed February 22, 1831, took effect June 1, 1831, (S. & C., Vol. 1, p. 458.)

S. B. No. 290—Mr. Owens—To amend section one, chapter two, of division four, of title one of an act entitled an act to revise and consolidate the laws relating to civil procedure in Courts of Common Pleas and Superior Courts, in District Courts on appeal, and also the laws relating to procedure in error, mandamus and quo warranto, passed May 14, 1878, (O. L., Vol. 75, p. 668).

S. B. No. 291—Mr. Owens—To divide the township of Union, county of Licking, into two election precincts.

S. B. No. 292—Mr. Owens—To authorize and empower the City Council of the city of Newark, in Licking county, Ohio, to transfer certain money from the sewer fund to the general fund in said city.

The President appointed Mr. Fisher as member of the committee on Finance, to fill the vacancy caused by the resignation of Mr. Dungan.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The following bills have been introduced in the House of Representatives, and read the first time :

H. B. No. 822—Mr. McCoy of Lawrence—To authorize the Board of Education of Perry township, Lawrence county, to levy a tax to pay the indebtedness of said township incurred in the erection of a school-house.

H. B. No. 823—Mr. Loder—To establish a Board of Examiners of insecure and unsafe buildings, and the appointment of Inspectors of buildings.

H. B. No. 824—Mr. Foster—To amend section nineteen of the act entitled an act for the incorporation of townships, passed March 14, 1853, (51 Vol. Stat., 489).

H. B. No. 825—Mr. Wales—To authorize the Commissioners of Warren county, Ohio, to levy a tax for the purpose of purchasing and erecting a monument over the grave of the late Hon. Thomas Corwin, and to erect the same.

H. B. No. 826—Mr. Greene—Supplementary to the act of May 14, 1878, entitled an act to amend, revise and consolidate the statutes relating to municipal corporations, to be known as title twelve, part one of the act to revise and consolidate the general statutes of Ohio, (75, O. L., 161).

H. B. No. 827—Mr. Luccock—For the relief of Landon Weskitt.

H. B. No. 828—Mr. Quinn—To authorize the Council of the incorporated village of Mt. Sterling, Madison county, Ohio, to transfer money from the sewer fund to the sinking fund.

H. B. No. 829—Mr. Eylar—To prevent improper practices by attorneys-at-law.

H. B. No. 830—Mr. Crosson—To authorize the Commissioners of Clermont county to levy a tax.

H. B. No. 831—Mr. Perkins—To authorize the Council of the village of Wadsworth to transfer funds.

H. B. No. 832—Mr. Quinby—To authorize the Commissioners of Fayette county to refund and pay to Evans James certain moneys wrongfully assessed against him.

Attest:

L. A. BRUNNER, *Clerk*.

Mr. Saltzgaber submitted the following report:

The standing committee on Public Works and Public Lands, to whom was referred H. J. R. No. 94—Granting the Government right of way through certain State works—having had the same under consideration, report it back, and recommend its adoption.

G. M. SALTZGABER, LYMAN J. JACKSON,
W. P. HOWLAND, G. A. GROVE.

The question being on the adoption of said joint resolution, the yeas and nays were taken, and resulted—yeas 18, nays 1, as follow:

Those who voted in the affirmative were—

Messrs. Beebe, Benson, Dungan, Fisher, Grove, Howland, Irvine, Jackson of Perry, Kelley, Marsh, Richards, Sabine, Saltzgaber, Sherrick, Tyler, Wagener, Williams and Wilson—18.

Mr. Forrest voted in the negative.

So the joint resolution was adopted.

Mr. Forrest, on leave, introduced the following bill, which was read the first time:

S. B. No. 293—To exempt certain property of benevolent institutions from seizure and sale on execution.

Mr. Dungan submitted the following report:

The committee on Corporations other than Municipal, to whom was referred S. J. R. No. 66—Providing for an amendment to the Constitution of Ohio—having had the same under consideration, report it back, and recommend its adoption.

IRVINE DUNGAN, J. M. ARMSTRONG,
R. G. RICHARDS, J. SHERRICK.
GEO. P. TYLER,

On motion of Mr. Owens, said joint resolution was ordered to be placed on the calendar for to-morrow.

Mr. Armstrong submitted the following report:

The committee on Soldiers' and Sailors' Orphans' Home, to whom was referred the appointment of Barnabas Burns, of Richland county, to be a Trustee of the Ohio Soldiers' and Sailors' Orphans' Home, for the term of five years from the first day of January, A. D. 1879—having had the same under consideration, report it back, and recommend the confirmation of appointment.

J. M. ARMSTRONG, C. F. KRIMMEL,
J. B. WILLIAMS, W. H. STOKES.
GEO. P. TYLER,

The question being on advising and consenting to said appointment—
Mr. Forrest moved that the Senate go into executive session.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 19, nays 6, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Curtiss, Dungan, Fisher, Forrest, Grove, Howland, Irvine, Jackson of Clinton, Jackson of Perry, Joy, Owens, Richards, Sabine, Seitz, Sherrick, Williams and Wilson—19.

Those who voted in the negative were—

Messrs. Benson, Marsh, Saltzgaber, Stokes, Tyler and Wagener—6.

So the motion was agreed to, and the Senate went into executive session, and after some time spent therein, arose, and—

The question being on the confirmation of said appointment, the yeas and nays were taken, and resulted - yeas 22, nays 3, as follow :

Those who voted in the affirmative were

Messrs. Armstrong, Beebe, Benson, Curtiss, Fisher, Grove, Howland, Jackson of Perry, Joy, Kelley, Krimmel, Owens, Richards, Sabine, Saltzgaber, Sherrick, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—22.

Those who voted in the negative were—

Messrs. Dungan, Marsh and Seitz—3.

So the Senate advised and consented to said appointment.

The following bills, on leave, were introduced and read the first time :

S. B. No. 294—Mr. Steedman—To regulate the receiving, transportation and delivery of grain by railroad corporations, and defining the duties of such corporations with respect thereto.

S. B. No. 295—Mr. Wilson—Sub-dividing the Fifth Common Pleas District, and providing for an additional Judge in the third sub-division therein.

MESSAGE FROM THE GOVERNOR.

THE STATE OF OHIO, EXECUTIVE DEPARTMENT,

COLUMBUS, 26th day of February, 1879.

To the Senate :

I have the honor to nominate, and by and with the advice and consent of the Senate, appoint Henry V. Kerr, of Batavia, Clermont county, Ohio, to be State Librarian for the period of two years, from 15th of March, 1879.

Very respectfully,

RICHARD M. BISHOP.

Mr. Forrest moved that said communication be referred to the committee on Library.

Which was agreed to.

Mr. Saltzgaber moved that the Senate adjourn.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 11, nays 17, as follow :

Those who voted in the affirmative were—

Messrs. Benson, Carson, Jackson of Perry, Joy, Kelley, Krimmel, Sabine, Saltzgaber, Steedman, Tyler and Wilson—11.

Those who voted in the negative were—

Messrs. Armstrong, Beebe, Curtiss, Dungan, Fisher, Forrest, Grove, Howland, Irvine, Jackson of Clinton, Marsh, Owens, Richards, Seitz, Sherrick, Stokes and Williams—17.

So the motion was disagreed to.

Mr. Richards moved that H. B. No. 699 be taken from the table.

On which motion the yeas and nays were taken, and resulted—yeas 12, nays 13, as follow :

Those who voted in the affirmative were—

Messrs. Beebe, Carson, Curtiss, Fisher, Howland, Irvine, Jackson of Clinton, Kelley, Richards, Sabine, Saltzgaber and Wilson—12.

Those who voted in the negative were—

Messrs. Benson, Dungan, Forrest, Jackson of Perry, Joy, Krimmel, Marsh, Seitz, Sherrick, Steedman, Stokes, Tyler and Wagener—13.

So the motion was disagreed to.

Mr. Armstrong submitted the following report :

The standing committee on Soldiers' and Sailors' Orphans' Home, to whom was referred H. J. R. No. 95—To request the Board of Trustees of the Ohio Soldiers' and Sailors' Orphans' Home to furnish information therein named—having had the same under consideration, report it back, with the following amendments, and recommend its adoption when so amended :

In line 10, after the word "to", insert: "designating, first: such as are children of soldiers who died in the service; second: such children of soldiers who have died since the war; third: such children of soldiers still living, but who are permanently disabled; and fourth: those who are children of soldiers not enumerated above."

J. M. ARMSTRONG,	JOHN SEITZ,
C. F. KRIMMEL,	T. S. JACKSON,
J. B. WILLIAMS,	W. H. STOKES,
GEO. P. TYLER,	G. W. WILSON.

Said amendments were agreed to.

The question being on the adoption of the joint resolution as amended, the yeas and nays were taken, and resulted—yeas 24, nays 1, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Benson, Carson, Curtiss, Fisher, Forrest, Grove, Howland, Jackson of Clinton, Jackson of Perry, Joy, Kelley, Krimmel, Marsh, Owens, Richards, Seitz, Sherrick, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—24.

Mr. Dungan voted in the negative.

So the joint resolution was adopted.

Mr. Wagener moved that the Senate adjourn.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 14, nays 14, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Benson, Carson, Forrest, Jackson of Perry, Krimmel, Saltzgaber, Seitz, Steedman, Tyler, Wagener, Williams and Wilson—14.

Those who voted in the negative were—

Messrs. Curtiss, Dungan, Fisher, Grove, Howland, Irvine, Jackson of Clinton, Joy, Kelley, Marsh, Richards, Sabine, Sherrick and Stokes—14.

So the motion was disagreed to.

Mr. Richards moved that H. B. No. 699 be taken from the table.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 14, nays 15, as follow :

Those who voted in the affirmative were—

Messrs. Beebe, Carson, Curtiss, Fisher, Howland, Irvine, Jackson of Clinton, Kelley, Owens, Richards, Sabine, Saltzgaber and Wilson—14.

Those who voted in the negative were—

Messrs. Armstrong, Benson, Dungan, Forrest, Jackson of Perry, Joy, Krimmel, Marsh, Seitz, Sherrick, Steedman, Stokes, Tyler, Wagener and Williams—15.

So the motion was disagreed to.

Mr. Joy moved that the Senate adjourn.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 13, nays 14, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Benson, Fisher, Forrest, Jackson of Perry, Joy, Krimmel, Marsh, Sherrick, Steedman, Stokes, Tyler and Williams—13.

Those who voted in the negative were—

Messrs. Beebe, Carson, Curtiss, Dungan, Howland, Irvine, Jackson of Clinton, Kelley, Owens, Richards, Sabine, Saltzgaber, Wagener and Wilson—14.

So the motion was disagreed to.

Mr. Richards moved that the vote whereby the Senate refused to take from the table H. B. No. 699 be reconsidered.

Mr. Forrest moved to lay said motion on the table.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 11, nays 15, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Fisher, Forrest, Jackson of Perry, Krimmel, Marsh, Steedman, Stokes, Tyler, Wagener and Williams—11.

Those who voted in the negative were—

Messrs. Beebe, Carson, Curtiss, Grove, Howland, Irvine, Jackson of Clinton, Joy, Kelley, Owens, Richards, Sabine, Saltzgaber, Sherrick and Wilson—15.

So the motion to lay on the table was disagreed to.

Mr. Marsh moved that the Senate adjourn.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 14, nays 14, as follow :

Those who voted in the affirmative were—

Messrs. Fisher, Forrest, Grove, Jackson of Perry, Joy, Krimmel, Marsh, Saltzgaber, Sherrick, Steedman, Stokes, Tyler, Wagener and Williams—14.

Those who voted in the negative were—

Messrs. Armstrong, Beebe, Carson, Curtiss, Dungan, Howland, Irvine, Jackson of Clinton, Kelley, Owens, Richards, Sabine, Seitz and Wilson—14.

So the motion was disagreed to.

The question recurring on Mr. Richards' motion to reconsider the vote whereby the Senate refused to take from the table H. B. No. 699, the yeas and nays were demanded, taken, and resulted—yeas 4, nays 20, as follow :

Those who voted in the affirmative were—

Messrs. Beebe, Curtiss, Jackson of Clinton and Saltzgaber—4.

Those who voted in the negative were—

Messrs. Armstrong, Fisher, Forrest, Grove, Howland, Jackson of Perry,

Joy, Kelley, Krimmel, Marsh, Owens, Richards, Sabine, Sherrick, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—20.

So the motion was disagreed to.

On motion of Mr. Steedman, the Senate adjourned.

Attest:

ALLEN O. MYERS, *Clerk*.

THURSDAY, *February* 27, 1879—10 o'clock A.M.

The Senate met pursuant to adjournment.

Prayer by Rev. S. A. Keen.

The Journal was read and approved.

Mr. Curtiss presented the petition of the Trustees and 23 other citizens of Newburgh township, Cuyahoga county, asking to be excluded from the territory to be taxed for the purpose of buying a farm and erecting buildings for infirmary purposes.

Which was referred to the committee on Finance.

Mr. Sherrick presented the petition of H. J. Bacon and 16 other citizens of Stark county, asking that the property of benevolent societies be exempt from execution to the amount of \$500.

Which was referred to the committee on Benevolent Institutions.

Mr. Sabine presented the petition of Col. W. L. Carey and 211 members of the 14th Regt. I. O. N. G., asking the passage of an act to provide that the State shall afford the volunteer militia transportation to and from places of encampment, and subsistence while therein.

Which was referred to the committee on Military Affairs.

Mr. Sabine presented the petition of Edward Powers and 800 other citizens of Union county, asking the Legislature to pass the bill now pending before it, known as the local option bill.

Which was referred to the committee on Sanitary Laws and Regulations.

Mr. Benson presented the remonstrance of B. L. Sweatland and 150 other citizens of Knox county, against the passage of House Bill to authorize the Commissioners of Knox county to transfer funds to County Agricultural Society.

Which was referred to the committee on Agriculture.

Bills were read the second time and referred, as follows:

S. B. No. 289—Mr. Curtiss—To amend an act entitled an act to provide for the proof, acknowledgment and recording of deeds, and other instruments of writing, passed February 22, 1831; took effect June 1, 1831, (Swan & Critchfield, Vol. 1, p. 458).

Committee on the Judiciary.

S. B. No. 290—Mr. Owens—To amend section one, chapter two, of division four of title one of an act entitled an act to revise and consolidate the laws relating to civil procedure in Courts of Common Pleas and Superior Courts, in District Courts on appeal, and also the laws relating to procedure in error, mandamus and quo warranto, passed May 14, 1878, (O. L., Vol. 75, p. 668).

Committee on the Judiciary.

S. B. No. 291—Mr. Owens—To divide the township of Union, county of Licking, into two election precincts.

Committee on Privileges and Elections.

S. B. No. 292—Mr. Owens—To authorize and empower the City Council of the city of Newark, in Licking county, Ohio, to transfer certain money from the sewer fund to the general fund in said city.

Committee on Municipal Corporations.

S. B. No. 293—Mr. Forrest—To exempt certain property of benevolent institutions from seizure and sale on execution.

Committee on the Judiciary.

S. B. No. 294—Mr. Steedman—To regulate the receiving, transportation and delivering of grain by railroad corporations, and defining the duties of such corporations with respect thereto.

Committee on Railroads, Telegraphs and Turnpikes.

S. B. No. 295 - Mr. Wilson—Subdividing the Fifth Common Pleas District, and providing for an additional Judge in the third subdivision therein.

Committee on the Judiciary.

H. B. No. 711—Mr. Poe-- To authorize the transfer of certain funds in the township of Bedford, Cuyahoga county, to other funds in said township—was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 25, nays none, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Benson, Carson, Curtiss, Dungan, Fisher, Grove, Jackson of Clinton, Johnston, Joy, Kelley, Krimmel, McDonald, Owens, Richards, Sabine, Saltzgaber, Seitz, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—25.

So the bill passed. The title was agreed to.

S. B. No. 260—Mr. Jackson of Clinton—To authorize the creation of an additional school sub-district in Beaver Creek township, Greene county, Ohio—was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 18, nays 9, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Benson, Curtiss, Grove, Jackson of Clinton, Jackson of Perry, Johnston, Joy, Kelley, Krimmel, Lord, Marsh, Richards, Sabine, Steedman, Tyler and Wagener—18.

Those who voted in the negative were—

Messrs. Carson, Fisher, Forrest, Howland, Irvine, McDonald, Seitz, Williams and Wilson—9

So the bill passed. The title was agreed to.

S. B. No. 221—Mr. Seitz—Supplementary to an act entitled an act to preserve the purity of elections—was read the third time.

Mr. Owens moved to refer the bill to a select committee of one, with instructions to amend as follows :

Strike out all between the word "money", in line 4, section 1, and the word "other", in line 6, section 1, and insert instead thereof the word "or."

Which was agreed to, and Mr. Owens was appointed such committee, and reported the bill back amended as instructed.

Mr. Johnston moved to refer the bill to a select committee of one, with instructions to amend as follows :

Strike out all of section one, after the word "residence," in line 17 of said section.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 12, nays 17, as follow :

Those who voted in the affirmative were—

Messrs. Beebe, Curtiss, Grove, Howland, Johnston, Krimmel, Marsh, Owens, Richards, Sabine, Stokes and Wilson—12.

Those who voted in the negative were—

Messrs. Armstrong, Benson, Dungan, Fisher, Forrest, Irvine, Jackson of Clinton, Jackson of Perry, Joy, Kelley, McDonald, Seitz, Sherrick, Steedman, Tyler, Wagener and Williams—17.

So the motion was disagreed to.

Mr. Johnston moved to refer the bill to a select committee of one, with instructions to amend as follows :

Strike out all of section 4, after the word “law”, in line eight of said section.

Pending which, on motion of Mr. Richards, the Senate took a recess.

THREE O’CLOCK P.M.

When the Senate took a recess, the pending question was on Mr. Johnston’s motion to refer S. B. No. 221 to a select committee of one, with instructions to amend.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 11, nays 15, as follow :

Those who voted in the affirmative were—

Messrs. Beebe, Howland, Jackson of Perry, Johnston, Kelley, Krimmel, Owens, Richards, Sabine, Stokes and Tyler 11.

Those who voted in the negative were—

Messrs. Armstrong, Benson, Carson, Dungan, Fisher, Forrest, Grove, Irvine, Jackson of Clinton, Joy, McDonald, Saltzgaber, Seitz, Williams and Wilson—15.

So the motion was disagreed to.

Mr. Wilson moved to refer the bill to a select committee of one, with instructions to amend as follows :

In section 1, line 4, between the words “promise” and “any”, insert the words “to give.”

Which was agreed to, and Mr. Wilson was appointed such committee, and reported the bill back amended as instructed.

Mr. Owens moved to refer the bill to a select committee of one, with instructions to amend as follows :

Strike out all after the word “voting”, in line 15, section 1, to and including the word “residence”, in line 17, section 1.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 10, nays 15, as follow :

Those who voted in the affirmative were—

Messrs. Beebe, Curtiss, Howland, Johnston, Kelley, Krimmel, Owens, Richards, Sabine and Tyler—10.

Those who voted in the negative were —

Messrs. Armstrong, Benson, Carson, Dungan, Fisher, Forrest, Irvine, Jackson of Clinton, Jackson of Perry, McDonald, Seitz, Sherrick, Steedman, Williams and Wilson—15.

So the motion was disagreed to.

Mr. Marsh moved to refer the bill to a select committee of one, with instructions to amend as follows :

Strike out section 5, and insert the following as sections 5 and 6:

SEC. 5. That whoever asks or demands from any candidate for the nomination, by any political party or convention to any office, or from any candidate for any office under any law, any money or other thing of value, not then due and owing, or makes application to any such candidate to purchase any ticket to, or to give any money or other thing of value for any pretended ball, pic-nic, fair, entertainment, or charitable enterprise, with the expectation or belief that such demand or request will influence any vote, shall be find not less than fifty nor more than three hundred dollars, or imprisoned sixty days in the county jail, or work-house, if there be such an institution in the county, or both, and such demand or request of any candidate shall be deemed be prima facie proof of such expectation or belief.

SEC. 6. This act shall take effect and be in force from and after its passage.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 29, nays none, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Benson, Carson, Curtiss, Dungan, Fisher, Forrest, Grove, Howland, Irvine, Jackson of Clinton, Jackson of Perry, Johnston, Kelley, Krimmel, Marsh, McDonald, Owens, Richards, Sabine, Saltzgaber, Seitz, Sherrick, Steedman, Stokes, Tyler, Williams and Wilson—29.

So the motion was agreed to, and Mr. Marsh was appointed such committee, and reported the bill back amended as instructed.

Mr. Wilson moved to refer the bill to a select committee of one, with instructions to amend as follows :

In section 2, line 3, strike out “five”, and insert “one”; and strike out “three”, and insert “one”; in line 4, strike out “penitentiary” and “ten”, and insert “county jail” and “one”; and strike out all of lines 8, 9 and 10.

Mr. Forrest demanded a division of the question.

The question being first on striking out “five”, and inserting “one”, in section 2, line 3—

The same was disagreed to.

The question then being on strinking out “three”, and inserting “one”, in line 3, section 1, the yeas and nays were demanded, taken, and resulted—yeas 18, nays 11, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Curtiss, Forrest, Grove, Howland, Jackson of Clinton, Johnston, Kelley, Krimmel, McDonald, Owens, Richards, Sabine, Saltzgaber, Tyler, Williams and Wilson—18.

Those who voted in the negative were—

Messrs. Benson, Carson, Dungan, Fisher, Irvine, Joy, Lord, Marsh, Seitz, Steedman and Stokes 11.

So the motion was agreed to.

The question then being on striking out “penitentiary” and “ten”, and insert “county jail” and “one”—

Mr. Steedman demanded a division of this question.

The question first being on striking out the words “Penitentiary” and “ten”—

Mr. Fisher demanded a further division.

The question being first on striking out the word “Penitentiary”—

The same was disagreed to.

The question then being on striking out the word "ten"—

The same was agreed to.

Mr. Forrest moved to insert in lieu of the word "ten"—stricken out, the word "three."

Which was agreed to.

The question then recurring on striking out lines 8, 9 and 10, section 2, from the word "vacancy", in line 8, the yeas and nays were demanded, taken, and resulted—yeas 14, nays 17, as follow :

Those who voted in the affirmative were—

Messrs. Beebe, Curtiss, Howland, Jackson of Perry, Johnston, Kelley, Krimmel, Lord, Richards, Sabine, Saltzgaber, Sherrick, Tyler and Wilson—14.

Those who voted in the negative were—

Messrs. Armstrong, Benson, Carlisle, Carson, Dungan, Fisher, Forrest, Irvine, Jackson of Clinton, Joy, Marsh, McDonald, Owens, Seitz, Steedman, Stokes and Williams—17.

So the motion was disagreed to.

Said bill was then referred to Mr. Wilson as said select committee of one, who reported it back amended as instructed.

Mr. Owens moved to refer the bill to a select committee of one, with instructions to amend as follows :

In line 4, section 2, strike out the word "or", and insert instead the words "and shall be."

On which motion the yeas and nays were demanded, taken, and resulted—yeas 14, nays 17, as follow :

Those who voted in the affirmative were—

Messrs. Beebe, Benson, Curtiss, Dungan, Howland, Irvine, Johnston, Kelley, Krimmel, Lord, Owens, Richards, Sabine and Tyler—14.

Those who voted in the negative were—

Messrs. Armstrong, Carlisle, Carson, Fisher, Forrest, Jackson of Clinton, Joy, Marsh, McDonald, Saltzgaber, Seitz, Sherrick, Steedman, Stokes, Wagener, Williams and Wilson—17.

So the motion was disagreed to.

Mr. Owens moved to refer the bill to a select committee of one, with instructions to amend as follows :

In line 14, section 3, strike out the word "or", and insert: "and shall be."

On which motion the yeas and nays were demanded, taken, and resulted—yeas 11, nays 16, as follow :

Those who voted in the affirmative were—

Messrs. Beebe, Benson, Curtiss, Irvine, Johnston, Kelley, Krimmel, Owens, Richards, Sabine and Tyler—11.

Those who voted in the negative were—

Messrs. Armstrong, Carlisle, Carson, Fisher, Forrest, Jackson of Clinton, Joy, Marsh, McDonald, Seitz, Sherrick, Steedman, Stokes, Wagener, Williams and Wilson—16

So the motion was disagreed to.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 28, nays 4, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Benson, Carlisle, Carson, Curtiss, Dungan, Fisher, Forrest, Irvine, Jackson of Clinton, Jackson of Perry, Joy, Kelley,

Lord, Marsh, McDonald, Richards, Sabine, Saltzgaber, Seitz, Sherrick, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—28.

Those who voted in the negative were—

Messrs. Grove, Johnston, Krimmel and Owens—4.

So the bill passed. The title was agreed to.

S. B. No. 232—Mr. Stokes—To amend section four of an act entitled an act to protect agricultural fairs and fair-grounds, passed April 11, 1856, (Swan & Critchfield, p. 67)—was read the third time.

The question being “Shall the bill pass?” the yeas and nays were taken, and resulted—yeas 29, nays none, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Benson, Carson, Curtiss, Dungan, Fisher, Forrest, Howland, Jackson of Clinton, Jackson of Perry, Johnston, Joy, Kelley, Krimmel, Marsh, McDonald, Owens, Richards, Sabine, Saltzgaber, Seitz, Sherrick, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—29.

So the bill passed. The title was agreed to.

Mr. Curtiss moved to lay S. B. No. 209 on the table.

Which was agreed to.

Mr. Richards submitted the following report :

The joint committee on Enrollment has examined, and found correctly enrolled, the following bill :

H. B. No. 736—To amend section thirty-three, of chapter eight of an act entitled an act to amend, revise and consolidate the statutes relating to crimes and offenses, and repeal certain acts therein named, to be known as title one, crimes and offenses, part four of the act to revise and consolidate the general statutes of Ohio, passed May 5, 1877, (O. L., Vol. 74, p. 273).

C. F. KRIMMEL,	R. G. RICHARDS,
IRVINE DUNGAN,	A. D. MARSH,
F. M. CARTER,	WM. JESSUP,
DUNCAN DOW,	C. R. HARMON.

Mr. Dungan submitted the following report :

The joint committee on Enrollment have examined, and found correctly enrolled, the following joint resolution :

H. J. R. No. 94—Granting the Government right of way through certain State works.

IRVINE DUNGAN,	C. R. HARMON,
R. G. RICHARDS,	A. D. MARSH,
E. S. PERKINS,	DUNCAN DOW.

On motion the Senate took a recess until 10 o'clock A. M. to-morrow.

Attest :

ALLEN O. MYERS, *Clerk.*

FRIDAY, *February* 28, 1879—10 o'clock A.M.

The Senate met pursuant to recess.

Prayer by Rev. S. A. Keen.

Leave of absence was asked and obtained for Messrs. Benson, Beer and Parker until Monday next.

The Senate then proceeded to the consideration of—

S. J. R. No. 66—Mr. Owens—Providing for an amendment to the Constitution of Ohio.

On demand of Mr. Owens a call of the Senate was had.

Messrs. Beebe, Carlisle, Irvine, Krimmel and Saltzgaber were absent.

Mr. Seitz moved that the Sergeant-at-Arms be dispatched for absentees. Which was agreed to.

Messrs. Beebe, Carlisle and Saltzgaber having appeared within the bar of the Senate, and answered to their names—

On motion of Mr. Owens, further proceedings under the call were dispensed with.

The question being on the adoption of said joint resolution, the yeas and nays were taken, and resulted—yeas 23, nays 3, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Carlisle, Carson, Curtiss, Dungan, Fisher, Howland, Jackson of Clinton, Jackson of Perry, Johnston, Joy, Kelley, Lord, Marsh, McDonald, Owens, Richards, Sherrick, Steedman, Stokes, Tyler and Williams—23.

Those who voted in the negative were—

Messrs. Forrest, Grove and Saltzgaber—3.

So the joint resolution was adopted.

Mr. Johnston presented the petition of William H. Clark and 41 other citizens of Canfield, Mahoning county, asking for the passage of an act authorizing the Trustees of Canfield township, in said county, to levy a tax to build a vault in the cemetery in said township.

Which was referred to the committee on Finance.

Mr. Howland presented the petition of W. A. Waldorf and 26 other citizens of Colebrook township, county of Ashtabula, School District No. 7, asking for the passage of H. B. No. 619, by Mr. Quinby, to secure local option in the sale of intoxicating liquors.

Which was referred to the committee on Sanitary Laws.

Mr. Dungan moved that a message be sent to the House, requesting the Clerk to furnish the Senate with a certified copy of H. B. No. 581, lost by the Judiciary committee.

Which was agreed to.

The following bills were introduced, and read the first time :

S. B. No. 296 Mr. Jackson of Perry—Relative to the alteration of plats of lots not within municipal corporations.

S. B. No. 297—Mr. Carlisle—To amend an act entitled an act to establish the Girls' Industrial Home, and to repeal certain acts therein named, passed May 10, 1878.

Mr. Steedman offered the following joint resolution :

S. J. R. No. 79: WHEREAS, The burdens of taxation now fall exclusively on the great land and other visible realty interests of the country, leaving almost without any tax the great moneyed interest whose capital is in paper representatives of property, in notes, bonds, and mortgages, which escape taxation, while they yield larger returns than any other property; and

WHEREAS, This exemption of money securities from taxation for a series of years, and the practical exemption of a great mass of luxuries which elude the assessor, have imposed a burden upon the agricultural, manufacturing, and other labor and business of the country too inequitable and grievous to be borne, and calls for a rectification of its injustice; and

WHEREAS, The income tax which the Hon. David A. Wells, special Commissioner on the revenue system in 1869, reported to be that form of taxation by which a larger proportion is contributed to the revenue by the classes best able to afford it than by any other method of taxation whatever, was repealed in the interest of those very classes, and no others; and

WHEREAS, The Secretary of the Treasury of the United States has announced a probable deficit of \$27,000,000 in the national revenue for the current year, and recommends to borrow more money and give new bonds to pay the interest on the public debt; therefore,

Resolved by the General Assembly of the State of Ohio, That we view, with indignation and alarm, the proposal to increase the national debt by borrowing money to pay interest, in a time of profound peace, of bountiful crops, while wealth goes untaxed, and hundreds of millions of dollars lie idle in the public treasury; and that our Senators and Representatives in Congress are requested to use their influence to procure the passage of an efficient income tax, and to deny to the Secretary of the Treasury all further powers to borrow money.

Mr. Steedman moved that said joint resolution be laid on the table and printed.

Which was agreed to.

Mr. Sherrick submitted the following report:

The standing committee on Finance, to whom was referred—H. B. No. 632—To authorize the Commissioners of Stark county and the City Council of the city of Canton, Ohio, to compromise with the sureties of Geo. Fessler, late Treasurer of said county, and ex-officio Treasurer of said city—having had the same under consideration, report it back without recommendation.

H. W. CURTISS,	J. C. FISHER,
J. M. CARSON,	H. C. LORD.
JOHN SEITZ,	

Said bill was ordered to be engrossed and read the third time now, and was then read.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 23, nays 3, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Curtiss, Dungan, Forrest, Grove, Howland, Irvine, Jackson of Clinton, Jackson of Perry, Joy, Kelley, Lord, McDonald, Richards, Sabine, Saltzgaber, Sherrick, Steedman, Tyler, Wagener, Williams and Wilson—23.

Those who voted in the negative were—

Messrs. Carson, Johnston and Seitz—3.

So the bill passed. The title was agreed to.

Mr. Jackson of Perry submitted the following report:

The standing committee on Judiciary, to whom was referred H. B. No. 479—To amend, revise and consolidate the statutes relating to crimes and offenses, and to repeal certain acts therein named—having had the same under consideration, report it back, and recommend its passage.

LYMAN J. JACKSON,	IRVINE DUNGAN,
G. M. SALTZGABER,	D. WAGENER.

Said bill was ordered to be engrossed and read the third time on Tuesday next.

MESSAGE FROM THE GOVERNOR.

THE STATE OF OHIO, EXECUTIVE DEPARTMENT,

COLUMBUS, *February 27, A.D. 1879.**To the General Assembly:*

I feel it to be my duty to call the attention of the General Assembly to the importance of a thorough investigation of the subject of the Geological Survey of Ohio. This survey was begun June 1, 1869, nearly ten years ago, and though it was to have been completed in three years, there yet remains several unfinished parts. It is still receiving large appropriations, and further appropriations will be probably asked to complete the work after the plans of the Chief Geologist. The expense already incurred is vastly more than was originally contemplated, and there are serious complaints of the incompleteness of the work and of its want of practical value to the people of the State.

Your attention is earnestly called to the whole subject, in the hope that it may be rigidly and promptly investigated, and that some plan may be devised for completing the survey in a wise and economical manner, so as best to exhibit the vast mineral resources of the State.

Very respectfully,

RICHARD M. BISHOP.

On motion of Mr. Curtiss, said communication was referred to the committee on Geological Survey.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The Speaker of the House of Representatives has, in the presence of the House, signed the following bill:

H. B. No. 736—Mr. Tyler of Licking—To amend section thirty-three, of chapter eight of an act entitled an act to amend, revise and consolidate the statutes relating to crimes and offenses, and to repeal certain acts therein named, to be known as title one, crimes and offenses, part four of the act to revise and consolidate the general statutes of Ohio, passed May 5, 1877, (Vol. 74, p. 273).

Attest:

L. A. BRUNNER, *Clerk.*

The President, in presence of the Senate, signed said bill.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has concurred in the passage of the following bill:

S. B. No. 265—Mr. Forrest—To amend section seven, chapter one, division four of an act to revise and consolidate the laws relating to civil procedure in Courts of Common Pleas and Superior Courts, in District Courts on appeal, and also the laws relating to procedure in error, mandamus and quo warranto, passed May 14, 1878, (75, O. L., 669)—with the following amendments, in which the concurrence of the Senate is requested:

In line 4, strike out "in the foreclosure of a mortgage," and insert in lieu thereof: "when a mortgage is foreclosed."

Near the end of line 4, strike out "mortgage."

Strike out all of line 5, after the first syllable of the word "whenever," and of line 6, to the word "the."

Strike out the word "be", after "sold," in line 6, and insert "are."

At end of line 6, strike out the word "piece."

At beginning of line 7, strike out the word "or."

At end of line 8, strike out the words "or parcels."

Attest:

L. A. BRUNNER, *Clerk*.

On motion of Mr. Forrest, said amendments were referred to the committee on the Judiciary.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The following bills have been introduced in the House of Representatives, and read the first time:

H. B. No. 833—Mr. Estill—To amend the act of May 7, 1878, entitled an act to revise and consolidate the laws relating to procedure in the Probate Court, (Vol. 75, p. 836).

H. B. No. 834—Mr. Dow To change the time of holding the District Court in Logan county, in the first sub-division of the Third District of Ohio.

H. B. No. 835—Mr. Seifert To create two separate election precincts in Bloom township, Fairfield county.

H. B. No. 836—Mr. Booth—To amend sections twelve and thirteen, of chapter four, division seven of an act entitled an act to amend, revise and consolidate the statutes relating to municipal corporations, to be known as title twelve, part one of the act to revise and consolidate the general statutes of Ohio, passed May 14, 1878, (Vol. 75, O. L., p. 161).

Attest:

L. A. BRUNNER, *Clerk*.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bill, in which the concurrence of the Senate is requested:

H. B. No. 834—Mr. Dow—To change the time of holding the District Court in Logan county, in the first sub-division of the Third District of Ohio.

Attest:

L. A. BRUNNER, *Clerk*.

Said bill was read the first time.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bill, in which the concurrence of the Senate is requested:

H. B. No. 774—Mr. Booth—To authorize the Trustees of Madison township, Franklin county, Ohio, to sell certain real estate.

Attest :

L. A. BRUNNER, *Clerk*.

Said bill was read the first time.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The House of Representatives has passed the following bill, in which the concurrence of the Senate is requested :

H. B. No. 647—Mr. Dempcy—For the transfer of certain lots of land, in the township of Newburg, Cuyahoga county, from the control of the Board of Education of the city of Cleveland, to the Board of Education of the township of Newburg.

Attest :

L. A. BRUNNER, *Clerk*.

Said bill was read the first time.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The House of Representatives has concurred in the passage of the following bill :

S. B. No. 213—Mr. Owens—To amend section one, of chapter eight of an act entitled an act to revise and consolidate the laws relating to procedure in the Probate Court, passed May 7, 1878, (O. L., Vol. 75, p. 960)—with the following amendments in which the concurrence of the Senate is requested :

In line 12, after the word "Hancock", insert the words "Adams and Highland."

Attest :

L. A. BRUNNER, *Clerk*.

The question being on concurring in said House amendment, the yeas and nays were taken, and resulted—yeas 26, nays none, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Carlisle, Curtiss, Dungan, Forrest, Grove, Howland, Irvine, Jackson of Clinton, Jackson of Perry, Joy, Kelley, Lord, McDonald, Owens, Richards, Sabine, Saltzgaber, Seitz, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—26.

So the Senate concurred in said House amendment.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The House of Representatives has concurred in the passage of the following bill :

Substitute for S. B. No. 55—Mr. Forrest—To provide for the better regulation of sales on execution and orders of sale—with the following amendments, in which the concurrence of the Senate is requested :

That all of section 1 be stricken out, except the enacting clause.

Strike out in line 2, section 2, the word "such," and insert the word "the."

Line 3, section 2, after the word "purchaser," insert the words "of real

property"; and in same line, strike out all after the word "money," and add the word "therefore."

Renumber the sections.

Attest:

L. A. BRUNNER, *Clerk*.

On motion of Mr. Owens, said amendments were referred to the committee on the Judiciary.

Mr. Jackson of Perry moved to take from the table S. J. R. No. 67.

Which was agreed to.

The consideration of said joint resolution was then postponed until this afternoon.

Mr. Richards offered the following joint resolution:

S. J. R. No. 80: WHEREAS, The Sheriff of Jefferson county, Ohio, by virtue of a warrant issued by the Governor, transferred one Homer Carl, convicted of grand larceny in the Court of Common Pleas of said county of Jefferson, to the Reform School; and

WHEREAS, The said Sheriff, by oversight of the technicalitis of the law, did not report with the prisoner to the Warden of the Penitentiary, thereby depriving the Auditor of State of the authority to reimburse said county for the costs of prosecution and transportation of said prisoner; therefore,

Be it resolved by the General Assembly of the State of Ohio, That there be appropriated and paid to the County Commissioners of Jefferson county, out of any moneys not otherwise appropriated, the sum of one hundred and forty-six dollars and forty cents, on account of cost of prosecution and transportation of Homer Carl, convicted of grand larceny in the Court of Common Pleas of Jefferson county, to the Reform School.

On motion of Mr. Saltzgaber, said joint resolution was referred to the committee on Claims.

Mr. Howland moved that S. B. No. 206 be taken from the table.

Which was agreed to.

Said bill was then read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 26, nays none, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Carlisle, Carson, Curtiss, Dungan, Fisher, Grove, Howland, Irvine, Jackson of Clinton, Jackson of Perry, Johnston, Kelley, Lord, McDonald, Owens, Richards, Sabine, Saltzgaber, Seitz, Stokes, Tyler, Wagener, Williams and Wilson—26.

So the bill passed. The title was agreed to.

Mr. Dungan moved that S. J. R. No. 55 be placed on the calendar for Wednesday next.

Which was agreed to.

On motion of Mr. Richards, the Senate took a recess.

THREE O'CLOCK P.M.

Mr. Johnston submitted the following report:

The joint committee on Enrollment has examined, and found correctly enrolled, the following bill:

S. B. No. 213—An act to amend section one, of chapter eight of an act entitled an act to revise and consolidate the laws relating to procedure in the Probate Court, passed May 7, 1878, (O. L., Vol. 75, p. 960).

IRVINE DUNGAN,	J. R. JOHNSTON,
R. G. RICHARDS,	C. R. HARMON,
WM. JESSUP,	E. S. PERKINS.
DUNCAN DOW,	

Mr. Fisher submitted the following report :

The committee on Revision has examined, and found correctly engrossed, H. J. R. No. 95, by Mr. McCoy of Lawrence.

J. C. FISHER, G. M. SALTZGABER,
J. M. CARSON, G. W. WILSON.

Mr. Carson submitted the following report:

The committee on Revision has examined, and found correctly engrossed, S. B. No. 221, by Mr. Seitz.

J. C. FISHER,
J. M. CARSON,
G. M. SALTZGABER.

Mr. Armstrong submitted the following report:

The standing committee on Claims, to whom was referred S. J. R. No. 80—For the relief of the Commissioners of Jefferson county, Ohio—having had the same under consideration, report it back, and recommend its adoption.

J. M. ARMSTRONG, J. B. WILLIAMS,
G. A. GROVE, D. D. BEEBE.

The question being on the adoption of said joint resolution, the yeas and nays were taken, and resulted—yeas 20, nays none, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Curtiss, Fisher, Grove, Howland, Jackson of Clinton, Jackson of Perry, Johnston, Kelley, Lord, Marsh, Owens, Richards, Sherrick, Stokes, Tyler, Wagener and Williams—20.

So the joint resolution was adopted.

Mr. Johnston moved to reconsider the vote whereby H. B. No. 479 was ordered to be read the third time on Tuesday next.

Which was agreed to.

On motion of Mr. Johnston, said H. B. No. 479 was ordered to be read the third time now, and was then read.

The question being “Shall the bill pass?” the yeas and nays were taken, and resulted—yeas 19, nays 1, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Curtiss, Fisher, Grove, Jackson of Clinton, Jackson of Perry, Johnston, Kelley, Lord, Marsh, Richards, Sherrick, Stokes, Tyler, Wagener, Williams and Wilson—19.

Mr. Forrest voted in the negative.

So the bill passed. The title was agreed to.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The House of Representatives has passed the following bill, in which the concurrence of the Senate is requested :

H. B. No. 616—Mr. Williams—To amend section six, chapter four, division seven of an act entitled an act to amend, revise and consolidate the statutes relating to municipal corporations, to be known as title twelve, part one of the act to revise and consolidate the general statutes of Ohio.

Attest :

L. A. BRUNNER, *Clerk.*

Said bill was read the first time.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has agreed to the report of the committee of Conference on—

H. B. No. 576—Mr. Ellis—To amend section twenty-six, of chapter eight of an act entitled an act to amend, revise and consolidate the statutes relating to crimes and offenses, and to repeal certain acts therein named, to be known as title one, crimes and offenses, part four of the act to revise and consolidate the general statutes of Ohio, (O. L., Vol. 74, p. 271).

Attest:

L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The Speaker of the House of Representatives has, in the presence of the House, signed the following joint resolution:

H. J. R. No. 94 Mr. Bohl—Granting the Government right of way through certain State works.

Attest:

L. A. BRUNNER, *Clerk.*

The President, in presence of the Senate, signed said joint resolution.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives accedes to the request of the Senate, and herewith returns a duplicate copy of H. B. No. 581, by Mr. Norton.

Attest:

L. A. BRUNNER, *Clerk.*

Said bill was, on motion, referred to the committee on the Judiciary.

Mr. Grove asked leave of absence for the committee on Reform School and Industrial School for Girls, for Monday and Tuesday next.

Which was granted.

Mr. Owens submitted the following report:

The standing committee on Library, to whom was referred the matter of the appointment by the Governor of Henry V. Kerr, of Batavia, Clermont county, to be State Librarian for two years from March 15, 1879—having had the same under consideration, report it back, and recommend that the Senate advise and consent to said appointment.

JAMES W. OWENS,

H. W. CURTISS,

J. R. JOHNSTON.

The question being on advising and consenting to said appointment the yeas and nays were taken, and resulted—yeas 24, nays none, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Carson, Curtiss, Fisher, Forrest, Grove, Howland, Irvine, Jackson of Clinton, Jackson of Perry, Johnston Kelley, Lord, Marsh, Owens, Richards, Sherrick, Stokes, Tyler, Wagener, Williams and Wilson—24.

So the Senate advised and consented to said appointment.

Mr. Owens presented the remonstrance of E. B. Tygert and 154 other citizens of Union township, Licking county, against the passage of S. B. No. 291, as to voting precincts in said township.

Which was referred to the committee on Privileges and Elections.

Mr. Owens presented the petition of Nelson Nash and 101 other citizens of Union township, Licking county, praying for the passage of S. B. No. 291, dividing said township into two voting precincts.

Which was referred to the committee on Privileges and Elections.

Mr. Owens presented the petition of Evan R. Jones and 41 other citizens of Union township, Licking county, praying for passage of S. B. No. 291, dividing said township into two voting precincts.

Which was referred to the committee on Privileges and Elections.

On demand of Mr. Carson, a call of the Senate was had.

Messrs. Carlisle, Dungan, Joy, Krimmel, Sabine, Saltzgaber and Steedman were absent.

On motion of Mr. Johnston, the Sergeant-at-Arms was dispatched for absentees.

Mr. Dungan having appeared within the bar of the Senate, and answered to his name.

Mr. Marsh moved that further proceedings under the call be dispensed with.

Which was disagreed to.

Mr. Sabine having appeared within the bar of the Senate, and answered to his name.

Mr. Sherrick moved that further proceedings under the call be dispensed with.

Which was disagreed to.

Mr. Sherrick moved that the Senate adjourn.

Which was disagreed to.

Mr. Sherrick moved that further proceedings under the call be dispensed with.

Which was agreed to.

Mr. Richards submitted the following report:

The joint committee on Enrollment has examined, and found correctly enrolled, the following bill:

H. B. No. 632—To authorize the Commissioners of Stark county and the City Council of Canton, Ohio, to compromise with the sureties of Geo. Fessler, late Treasurer of said county, and ex-officio Treasurer of said county.

R. G. RICHARDS,
IRVINE DUNGAN,
DUNCAN DOW,
C. R. HARMON,

J. R. JOHNSTON,
A. D. MARSH,
WM. JESSUP.

Mr. Carson moved that the Senate adjourn.

Which was disagreed to.

Leave of absence was asked and obtained for Mr. Saltzgaber until Monday next.

On motion of Mr. Jackson of Perry, the Senate proceeded to the consideration of S. J. R. No. 67.

The question being on the adoption of said joint resolution, the yeas and nays were ordered, taken, and resulted—yeas 25, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Carson, Curtiss, Dungan, Fisher, Forrest, Grove, Howland, Irvine, Jackson of Clinton, Jackson of Perry, Johnston, Lord, Marsh, McDonald, Richards, Sabine, Seitz, Stokes, Tyler, Wagner, Williams and Wilson—25.

So said joint resolution was adopted.

Mr. Marsh submitted the following report:

The standing committee on Municipal Corporations, to whom was referred S. B. No. 292—To authorize and empower the City Council of the city of Newark, in Licking county, Ohio, to transfer certain money from the sewer fund to the general fund in said city—having had the same under consideration, report it back, and recommend its passage.

THEO. MARSH,	G. A. GROVE,
G. W. WILSON,	LYMAN J. JACKSON.
R. G. RICHARDS,	

Said bill was ordered to be engrossed and read the third time now, and was then read.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted - yeas 27, nays none, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Carson, Curtiss, Dungan, Fisher, Forrest, Grove, Howland, Irvine, Jackson of Clinton, Jackson of Perry, Johnston, Kelley, Lord, Marsh, McDonald, Owens, Richards, Sabine, Seitz, Steedman, Stokes, Tyler, Williams and Wilson—27.

So the bill passed. The title was agreed to.

Mr. Forrest submitted the following report:

The standing committee on Judiciary, to whom was referred H. B. No. 581—To amend section fifteen, of chapter thirteen, of division eight of the act entitled an act to amend, revise and consolidate the statutes relating to municipal corporations, to be known as title twelve, part one of the act to revise and consolidate the general statutes of Ohio, passed May 14, 1878—having had the same under consideration, report it back, and recommend its passage.

LYMAN J. JACKSON,	IRVINE DUNGAN,
W. T. FORREST,	D. WAGENER.

Said bill was ordered to be engrossed and read the third time now, and was then read.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 19, nays none, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Carson, Dungan, Fisher, Forrest, Howland, Jackson of Clinton, Jackson of Perry, Johnston, Lord, Marsh, McDonald, Seitz, Steedman, Stokes, Tyler and Williams—19.

So the bill passed. The title was agreed to.

Mr. Steedman moved to take from the table S. B. No. 253.

Which was agreed to.

The question being on the passage of the bill—

Mr. Forrest moved to refer the bill to a select committee of one, with instructions to amend as follows:

Strike out the word "eight", in line 16, and insert in lieu thereof the word "six."

Which was agreed to, and Mr. Forrest was appointed such committee, and reported the bill back amended as instructed.

The question then being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 21, nays 3, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Curtiss, Fisher, Forrest, Grove, Howland, Irvine, Jackson of Clinton, Jackson of Perry, Kelley, Lord, Marsh, McDonald, Richards, Steedman, Stokes, Tyler, Williams and Wilson—21.

Those who voted in the negative were—

Messrs. Carson, Johnston and Owens - 3.

So the bill passed. The title was agreed to.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The Speaker of the House of Representatives has, in the presence of the House, signed the following bills :

S. B. No. 213—Mr. Owens—To amend section one, of chapter eight of an act entitled an act to revise and consolidate the laws relating to procedure in the Probate Court, passed May 7, 1878, (O. L., Vol. 75, p. 960.)

H. B. No. 632—Mr. Worley—To authorize the Commissioners of Stark county and the City Council of the city of Canton, Ohio, to compromise with the sureties of Geo. Fessler, late Treasurer of said county, and ex-officio Treasurer of said city.

Attest :

L. A. BRUNNER, *Clerk.*

The President, in presence of the Senate, signed said bills.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The House of Representatives has concurred in Senate amendments to H. J. R. No. 95—Mr. McCoy of Lawrence—To request the Board of Trustees of the Ohio Soldiers' and Sailors' Orphans' Home to furnish information therein named.

Attest :

L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The House of Representatives has passed the following bills, in which the concurrence of the Senate is requested :

H. B. No. 737—Mr. Alexander—Making appropriations for deficiencies which are payable out of the general revenue fund.

H. B. No. 718—Mr. Alexander—Making appropriations for deficiencies out of the asylum fund.

Attest :

L. A. BRUNNER, *Clerk.*

Said bill were read the first time.

On motion of Mr. Marsh, the Senate adjourned.

Attest :

ALLEN O. MYERS, *Clerk.*

SATURDAY, *March 1*, 1879—10 o'clock A.M.

The Senate met pursuant to adjournment.

Prayer by Rev. S. A. Keen.

The Journal was read and approved.

Mr. Beebe and Mr. Williams were granted leave of absence for Monday and Tuesday next.

The following bill was read the second time :

H. B. No. 834—Mr. Dow—To change the time of holding the District Court in Logan county, in the first sub-division of the Third Judicial District of Ohio.

Mr. Sabine moved that the constitutional rule, requiring bills to be read on three different days, be suspended, that H. B. No. 834 may be read the third time.

On which motion the yeas and nays were taken, and resulted—yeas 27, nays none, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Carlisle, Carson, Curtiss, Fisher, Howland, Jackson of Clinton, Jackson of Perry, Johnston, Joy, Kelley, Krimmel, Lord, Marsh, McDonald, Owens, Richards, Sabine, Seitz, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—27.

So the motion was agreed to, and the bill was read the third time.

The question being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 24, nays none, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Curtiss, Fisher, Howland, Jackson of Clinton, Jackson of Perry, Johnston, Joy, Kelley, Lord, Marsh, McDonald, Owens, Richards, Sabine, Seitz, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—24.

So the bill passed. The title was agreed to.

Bills were read the second time and referred, as follows :

H. B. No. 774—Mr. Booth—To authorize the Trustees of Madison township, Franklin county, Ohio, to sell certain real estate.

Committee on Municipal Corporations.

H. B. No. 647—Mr. Dempcy—For the transfer of certain lots of land, in the township of Newburg, Cuyahoga county, from the control of the Board of Education of the city of Cleveland, to the Board of Education of the township of Newburg.

Committee on Common Schools and School Lands.

H. B. No. 616—Mr. Williams—To amend section six, chapter four, division seven of an act entitled an act to amend, revise and consolidate the statutes relating to municipal corporations, to be known as title twelve, part one of the act to revise and consolidate the general statutes of Ohio.

Committee on the Judiciary.

H. B. No. 718—Mr. Alexander—Making appropriations for deficiencies out of the asylum fund.

Committee on Finance.

H. B. No. 737—Mr. Alexander—Making appropriations for deficiencies which are payable out of the general revenue fund.

Committee on Finance.

S. B. No. 296—Mr. Jackson of Perry—Relative to the alteration of plats of lots not within municipal corporations.

Committee on Municipal Corporations.

S. B. No. 297—Mr. Carlisle—To amend an act entitled an act to establish the Girls' Industrial Home, and to repeal certain acts therein named, passed May 10, 1878, (75, O. L., 144.)

Committee on Reform School and Industrial School for Girls.

Leave of absence was asked and obtained for Mr. Frank Davis, Assistant Sergeant-at-Arms, on account of sickness in his family.

Mr. Sabine submitted the following report :

The committee on Penitentiary, who, by S. R. No. 84, were instructed "to examine into the quality of gas manufactured at the Penitentiary, and report the result of the investigations to the Senate", called to their assistance Mr. Green, of the city of Columbus, an expert in the manufacture of gas, and proceeded to the Penitentiary to make the examination required.

After a careful examination of the gas-works through Mr. Green, the committee became convinced that the impurities of the gas used in the State House arise from the methods of its manufacture—that it is allowed to pass through the scrubbers or cleansers in an impure condition.

By inquiry, the committee found that the same faulty characteristics distinguished the gas used in the Penitentiary, and are therefore convinced that the faults in the gas of the State House are not caused by lurking impurities in the mains.

We therefore recommend that some change be accomplished in the manufacture of the gas, either increasing the means for the purification of gas, or the intelligence of the manufacturer.

D. JOY,	THEO. MARSH,
GEO. P. TYLER,	H. SABINE.
W. H. STOKES,	

Mr. Dungan submitted the following report :

The joint committee on Enrollment has examined, and found correctly enrolled, the following bill :

H. B. No. 711—To authorize the transfer of certain funds in the township of Bedford, Cuyahoga county, to other funds in said township.

IRVINE DUNGAN,	C. R. HARMON,
J. R. JOHNSTON,	E. S. PERKINS,
WM. JESSUP,	R. G. RICHARDS.
F. M. CARTER,	

Mr. Joy moved that the Senate take a recess.

Mr. Marsh moved that the Senate adjourn.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 5, nays 19, as follow :

Those who voted in the affirmative were—

Messrs. Beer, Kelley, Marsh, Sabine and Tyler—5.

Those who voted in the negative were—

Messrs. Carlisle, Carson, Curtiss, Dungan, Fisher, Forrest, Jackson of Perry, Johnston, Joy, Krimmel, McDonald, Owens, Richards, Seitz, Steedman, Stokes, Wagener, Williams and Wilson—19.

So said motion was disagreed to.

The question recurring on the motion to take a recess, the yeas and nays were demanded, taken, and resulted—yeas 18, nays 9, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Carlisle, Carson, Curtiss, Dungan, Forrest, Howland, Jackson of Perry, Johnston, Joy, Krimmel, McDonald, Owens, Steedman, Stokes, Wagener, Williams and Wilson—18.

Those who voted in the negative were—

Messrs. Beer, Fisher, Kelley, Lord, Marsh, Richards, Sabine, Seitz and Tyler—9.

So the Senate took a recess.

THREE O'CLOCK P.M.

The following bills were introduced, and read the first time:

S. B. No. 298—Mr. Benson—To amend section ten of an act entitled an act for the better security of head contractors and material men, and to repeal certain acts therein named, passed May 4, 1877, (O. L., Vol. 74, p. 168), and to repeal certain acts therein named.

S. B. No. 299—Mr. Johnston—In relation to bets, wagers and pools.

Mr. Tyler submitted the following report:

The committee on Railroads, Telegraphs and Turnpikes, to whom was referred S. B. No. 160—having had the same under consideration, report it back, and recommend the following as a substitute:

SUBSTITUTE FOR S. B. NO. 160—MR. CARSON.

A bill to regulate charges on palace and sleeping-cars:

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That it shall be unlawful for any palace or sleeping-car company, running cars over any railroad within this State, to charge or receive for the use and occupancy of palace or sleeping-cars for any distance of three hundred miles or less a greater amount than the following rates, to wit: A single berth, chair or sofa, twenty-five cents; a section, fifty cents; a state-room, one dollar; and for each berth made up for the purpose of sleeping therein, said company shall be entitled to charge an additional twenty-five cents.

SEC. 2. That it shall be the duty of any palace or sleeping-car company, running a car or cars over any railroad within this State, to have and expose for sale tickets at all ticket offices upon the line of the roads over which they run a car or cars, and every ticket agent asking or receiving a greater rate than is provided in the first section of this act, shall forfeit and pay for each offense, not more than three hundred, nor less than one hundred dollars; and the property of said company shall be liable upon execution for the payment of said forfeiture.

SEC. 3. That every person in the employ of said company, who shall refuse any person admission into any car belonging to or run by said company, after the purchase of a ticket, or offer to pay the amount provided in the first section of this act, shall forfeit and pay the same as is provided for in section two of this act.

SEC. 4. In the event the number of passengers holding first-class tickets upon any train of cars, to which any palace or sleeping-car or cars are attached, shall be greater than the seating capacity of said first-class coaches, said excess of passengers shall be allowed to use said palace or sleeping-cars, (should they be wholly or partially unoccupied) free of charge, until such time as they may be able to obtain seats in said first-class cars. That any person in the employ of said company, refusing admission to any palace or sleeping-car as aforesaid, shall for each offense, forfeit and pay the same as is provided in section two of this act.

SEC. 5. Every company, and every person in the employ of such com-

pany, who shall violate, or cause or permit to be violated, any of the provisions of this act, shall for each and every offense forfeit and pay the same as is provided in section two of this act.

SEC. 6. That all actions brought against any company, person or persons, for the violation of this act, may be brought in the Court of Common Pleas, or before any Justice of the Peace of the county in which such violation occurs, or through which said company's cars shall pass, said forfeiture to be secured in the name of the State of Ohio, one-half for the use of common schools, and one-half for the use of the party complaining.

SEC. 7. It shall be the duty of the Railroad Commissioner, upon complaint being made to him of any company, person or persons, violating the provisions of this act, to commence suit against said company, person or persons, and the Attorney-general shall prosecute all suits brought by said Commissioner for violations of this act, and all suits brought by said Commissioner, under the provisions of this act, may be brought in the Common Pleas Court of Franklin county.

SEC. 8. The word company, as used in this act, shall be construed to mean all companies, whether incorporated or not, and every individual or association of individuals engaged in running sleeping or palace cars over the railroads of this State.

SEC. 9. This act shall take effect and be in force from and after its passage.

J. M. CARSON,	GEO. P. TYLER,
T. M. BEER,	H. SABINE.
D. JOY,	

On motion of Mr. Curtiss, said report was laid on the table and ordered to be printed.

Mr. Carlisle submitted the following report:

The committee on Benevolent Institutions, to whom was referred H. J. R. No. 91, having had the same under consideration, report it back, and recommend its adoption.

B. W. CARLISLE,	D. D. BEEBE,
C. F. KRIMMEL,	GEO. P. TYLER.
H. W. CURTISS,	

The question being on the adoption of said joint resolution, the yeas and nays were taken, and resulted—yeas 22, nays none, as follow:

Those who voted in the affirmative were—

Messrs. Beebe, Benson, Carlisle, Curtiss, Dungan, Forrest, Howland, Irvine, Jackson of Clinton, Johnston, Joy, Krimmel, Lord, McDonald, Owens, Richards, Sabine, Seitz, Steedman, Tyler, Williams and Wilson—22.

So the resolution was adopted.

Mr. Johnston submitted the following report:

The standing committee on Judiciary, to whom was referred S. B. No. 272—To amend section forty-nine, of chapter three of an act entitled an act to revise and consolidate the laws relating to procedure in the Probate Court, (O. L., Vol. 75, p. 927)—having had the same under consideration, report it back, with the following amendments, and recommend its passage when so amended.

Strike out of section 1, all of line 12, after the word "application", and

also strike out of same section, lines 13 and 14, and the words "be valid," in line 15.

W. T. FORREST,
IRVINE DUNGAN,
W. P. HOWLAND,

J. R. JOHNSTON,
LYMAN J. JACKSON.

Said amendments were agreed to, and the bill was ordered to be engrossed and read the third time on Tuesday next.

Mr. Dungan submitted the following report:

The standing committee on Judiciary, to whom was referred S. B. No. 205—Revising the statutes relating to the judicial department—having had the same under consideration, report it back, with the following amendments, and recommend its passage when so amended:

1. In chapter 2, section 5, strike out "two", and insert "three"; also strike out line 3, and insert: "first Mondays of January, April and October."

2. In chapter 5, section 19, strike out in lines 1 and 2, "has expressed an opinion or."

3. Chapter 6, section 2, line 5, after "county", insert: "and in case of the sickness or unavoidable absence of the Probate Judge, any of the judges of the Court of Common Pleas may take proof of wills and approve of any bonds to be given, but the record of such acts shall be preserved in the usual records of the Probate Court."

4. Chapter 6, section 6, paragraph 9, line 9, after "satisfied", add Paragraph: "10. A marriage record, in which shall be entered all licenses issued, the names of the parties to whom, the name of the person or persons applying for the same, with a brief statement of any facts sworn to by such person, and the return of the person solemnizing the marriage."

5. Chapter 6, section 23, line 6, strike out "certified," and insert "verified."

6. Chapter 7, strike out section 10.

7. Chapter 8, section 1, line 3, strike out "writ or plaint," and insert "or proceeding."

8. Chapter 8, section 6, amend by striking out from the first of the section to "State", in line 5, and insert:

SEC. 6. The Supreme Court, District Court, or Court of Common Pleas may suspend or remove any attorney-at-law from office, for either of the following causes: misconduct in office, conviction of crime involving moral turpitude or unprofessional conduct involving moral turpitude; and such suspension or removal shall operate as a suspension or removal in all the courts of the State, and judges of said courts are required to cause proceedings to be instituted against any attorney-at-law when it in any manner comes to the knowledge of any judge in whose court such attorney practices, that such attorney is probably guilty of any of the causes of suspension or removal.

IRVINE DUNGAN, D. WAGENER,
LYMAN J. JACKSON, W. P. HOWLAND,
W. T. FORREST, J. R. JOHNSTON.

Said amendments were agreed to, and the bill was ordered to be engrossed and read the third time on Monday next.

Mr. Forrest submitted the following report:

The standing committee on Judiciary, to whom was referred Substitute for S. B. No. 55, having had the same under consideration, report it

back, and recommend that the Senate concur in the amendments of the House.

W. T. FORREST, W. P. HOWLAND,
 LYMAN J. JACKSON, IRVINE DUNGAN.
 J. R. JOHNSTON,

The question being on concurring in said House amendments, the yeas and nays were taken, and resulted—yeas 21, nays none, as follow:

Those who voted in the affirmative were—

Messrs. Beebe, Benson, Carlisle, Curtiss, Dungan, Forrest, Howland, Irvine, Jackson of Clinton, Johnston, Joy, Krimmel, Lord, McDonald, Owens, Richards, Seitz, Steedman, Tyler, Williams and Wilson—21.

So the Senate concurred in said House amendments.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bill, in which the concurrence of the Senate is requested:

Substitute for H. B. No. 574—Mr. Poe—To amend an act entitled an act to facilitate the administration of justice in Cuyahoga county, passed March 25, 1875, (72, O. L., p. 105.)

Attest:

L. A. BRUNNER, *Clerk.*

Said bill was read the first time.

Mr. Johnston submitted the following report:

The joint committee on Enrollment has examined, and found correctly enrolled, the following bill:

Substitute for H. B. No. 479—Supplementary to an act of May 5, 1877, entitled an act to amend, revise and consolidate the statutes relating to crimes and offenses, and to repeal certain acts therein named, to be known as title one, crimes and offenses, part four of the act to revise and consolidate the general statutes of Ohio, (Vol. 74, O. L., p. 240.)

E. S. PERKINS, C. R. HARMON,
 A. D. MARSH, J. R. JOHNSTON,
 WM. JESSUP, R. G. RICHARDS.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has concurred in the passage of the following bill:

S. B. No. 242—Mr. Curtiss—To authorize the City Council of the city of Cleveland to levy a tax for building an armory, and to transfer certain funds therein named temporarily to an armory fund—with the following amendments, in which the concurrence of the Senate is requested:

At the end of section 1, add: "Provided, that the question of levying such tax and building the armory, shall be first submitted to a vote of the qualified voters of said city, at some regular or special election, notice of which shall be given at last 20 days before such election, in at least two newspapers printed in said city, and if a majority of the votes cast at such election shall be in favor of such levy, the council shall have power to make the same."

In section 1, line 5, strike out the word "three," and insert "two and one-half."

Attest:

L. A. BRUNNER, *Clerk.*

On motion of Mr. Curtiss, said bill and amendments were laid on the table.

On motion of Mr. Tyler, the Senate adjourned.

Attest:

ALLEN O. MYERS, *Clerk.*

MONDAY, *March 3*, 1879—10 o'clock A.M.

The Senate met pursuant to adjournment.

Prayer by Rev. D. W. Clark.

The Journal was read and approved.

Mr. Kelley presented the petition of 66 employes of Hecla Iron and Mining Company, citizens of Lawrence county, praying for the repeal of the laws of 1878, prohibiting the use of scrip-orders by manufacturers.

Which was referred to the committee on Manufactures and Commerce.

Mr. Johnston, on leave, introduced the following bill, which was read the first time:

S. B. No. 300—To repeal sections seven, eight and nine, of chapter one, of title four of the laws relating to error, mandamus and quo warranto, (O. L., Vol. 75, p. 805.)

Bills were read the second time and referred, as follows:

Substitute for H. B. No. 574—Mr. Poe—To amend section six of an act entitled an act to facilitate the administration of justice in Cuyahoga county, passed March 25, 1875, (72, O. L., p. 105).

Committee on the Judiciary.

S. B. No. 298—Mr. Benson—To amend section ten of an act for the better security of head contractors and material men, and to repeal certain acts therein named, passed May 4, 1877, (O. L., Vol. 74, p. 168).

Committee on the Judiciary.

S. B. No. 299—Mr. Johnston—In relation to bets, wagers, and pools.

Committee on the Judiciary.

Mr. Forrest submitted the following report:

The standing committee on Judiciary, to whom was referred H. B. No. 715—To revise and consolidate the statutes relating to persons—having had the same under consideration, report it back, with the following amendments, and recommend its passage when so amended:

1. Strike out on line 7, of section 5, of chapter 2, "one suit of common and one suit of extra wearing apparel," and insert: "two good suits of clothes."

2. Add on line 6, of section 16, of chapter 4, after the word "notify," the words "in writing."

3. Strike out all of section 19, chapter 4, and insert:

"SEC. 19. If out of subsequent payments, as they severally fall due under the contract, and for ten days thereafter, the owner or his authorized agent neglect or refuse to pay, when due, the whole or a *pro rata* amount, as the case may be, of the sworn account or estimate of any such sub-contractor, material man, laborer, mechanic, or person furnishing material, he shall, upon filing with the Recorder of the county wherein the property is situated, within forty days from the last date on which materials were furnished or labor performed, an affidavit containing an itemized account of the amount and value of such labor, machinery or material, with all credits and set-offs thereon, together with

the statements required by the second or fourth sections of this chapter, as the case may be, from principal contractors, have a lien to secure the payment of the same upon the boat, vessel, or other water-craft, or upon the house, mill, manufactory, building, appurtenance, fixture, bridge, or other structure, upon which the labor was done, or machinery or material were furnished, and upon the interest of the owner in the lot of land on which the same may stand, or to which it may be removed, which lien shall date back from the date of the furnishing of the first item of such labor, machinery or material, and have the same operation, effect and duration, and be subject to the same obligations with respect to the owner, or his authorized agent, as the lien of a head contractor in similar cases, (74 Vol., 168, sec. 15)."

4. Strike out on line 6, section 25, chapter 4, the word "thirty," and insert: "forty-five."

5. Add in section 27, chapter 4, on line 3, of page 38, after the word "but," the words "if not submitted to arbitration."

6. Add to title over section 29, chapter 4, so as to read: "Livery-stable keepers and others."

W. T. FORREST, J. R. JOHNSTON,
IRVINE DUNGAN, W. P. HOWLAND.
D. WAGENER,

On motion of Mr. Curtiss, said report was laid on the table and ordered to be printed.

Mr. Beer presented the memorial of Ohio Council, No. 9, Royal Arcanum, of Mansfield, Ohio, protesting against the passage of H. B. No. 770—To define life-insurance without the State of Ohio.

Which was referred to the committee on Insurance.

Mr. Benson presented the remonstrance of Wayne Council, No. 13, Royal Arcanum, remonstrating against the passage of H. B. No. 770.

Which was referred to the committee on Insurance.

Mr. Forrest moved that the Senate take a recess until two o'clock.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 8, nays 11, as follow:

Those who voted in the affirmative were—

Messrs. Dungan, Fisher, Forrest, Irvine, Krimmel, Lord, McDonald and Wagener—8.

Those who voted in the negative were—

Messrs. Beer, Benson, Curtiss, Howland, Johnston, Joy, Kelley, Richards, Sabine, Steedman and Tyler—11.

So the motion was disagreed to.

On demand of Mr. Forrest, a call of the Senate was had.

Messrs. Carson, Armstrong, Jackson of Clinton, Marsh, Sherrick and Wilson were absent.

Mr. Johnston moved that further proceedings under the call be dispensed with.

Which was agreed to.

Mr. Benson, on leave, introduced the following bill, which was read the first time:

S. B. No. 301—To amend section ten of an act relating to crimes against persons, (O. L., Vol. 74, p. 245).

Mr. Lord moved that the Senate take a recess.

Mr. Forrest moved to amend by adding: to half-past two o'clock.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 6, nays 14, as follow :

Those who voted in the affirmative were—

Messrs. Benson, Dungan, Fisher, Forrest, McDonald and Wagener—6.

Those who voted in the negative were—

Messrs. Beebe, Curtiss, Howland, Johnston, Joy, Kelley, Krimmel, Lord, Owens, Richards, Sabine, Steedman, Tyler and Wilson—14.

So the motion to amend was disagreed to.

The question then being on Mr. Lord's motion to take a recess, the yeas and nays were demanded, taken, and resulted—yeas 16, nays 5, as follow :

Those who voted in the affirmative were—

Messrs. Beebe, Curtiss, Dungan, Fisher, Johnston, Joy, Kelley, Krimmel, Lord, McDonald, Owens, Richards, Sabine, Steedman, Tyler and Wilson—16.

Those who voted in the negative were—

Messrs. Beer, Benson, Forrest, Howland and Wagener—5.

So the motion was agreed to, and the Senate took a recess.

THREE O'CLOCK P.M.

Mr. Curtiss moved that the chairman of the committee on Public Printing be instructed to make inquiry as to the delay in printing the amendments to S. B. No. 205.

Which was agreed to.

Mr. Curtiss moved to reconsider the vote whereby the amendments of the Judiciary committee to S. B. No. 205 were agreed to.

Which was agreed to.

Mr. Curtiss moved that the report from the Judiciary committee on S. B. No. 205 be laid on the table.

Which was agreed to.

The order for third reading of said bill was discharged.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The Speaker of the House of Representatives has, in the presence of the House, signed the following bills and joint resolution :

Substitute for H. B. No. 479—Mr. Poe—To amend sections thirteen and fourteen, of chapter eight of an act entitled an act to amend, revise and consolidate the statutes relating to crimes and offenses, and to repeal certain acts therein named, to be known as title one, crimes and offenses, part four of the act to revise and consolidate the general statutes of Ohio, passed May 5, 1877, (O. L., Vol. 74, p. 268).

H. B. No. 711—Mr. Poe—To authorize the transfer of certain funds in the township of Bedford, Cuyahoga county, to other funds in said township.

H. B. No. 834—Mr. Dow—To change the time of holding the District Court in Logan county, in the first sub-division of the Third District of Ohio.

H. B. No. 576—Mr. Ellis—To amend section twenty-six, of chapter eight of an act entitled an act to amend, revise and consolidate the statutes relating to crimes and offenses, and repeal certain acts therein named, to be known as title one, crimes and offenses, part four of the act to

revise and consolidate the general statutes of Ohio, (O. L., Vol. 74, p. 271.)

H. J. R. No. 95—Mr. McCoy of Lawrence - To request the Board of Trustees of the Ohio Soldiers' and Sailors' Orphans' Home to furnish information therein named.

Attest:

L. A. BRUNNER, *Clerk.*

The President *pro tem.*, in presence of the Senate, signed said bills.

Mr. Forrest submitted the following report:

The standing committee on Judiciary, to whom was referred S. B. No. 275—To authorize the election of one additional Judge of the Court of Common Pleas, in the first sub-division of the Second Judicial District of Ohio—having had the same under consideration, report it back, and recommend its passage.

W. T. FORREST,	IRVINE DUNGAN,
D. WAGENER,	J. R. JOHNSTON.

Said bill was ordered to be engrossed and read the third time to-morrow.

Mr. Johnston offered the following joint resolution:

S. J. R. No. 81: Directing the Codifying Commission to make certain references in their report to the General Assembly:

Be it resolved by the General Assembly of the State of Ohio, That the Commission to revise and consolidate the statutes be, and they hereby are directed, in making out their report to the General Assembly, as provided by law, to note at the close of the several sections the section, volume and page of Swan & Critchfield's revised statutes of Ohio, and of Swan & Saylor's supplement thereto, where such sections appear therein, in addition to the reference now made by them at the close of such section or sections of their report.

Mr. Forrest gave notice of his intention to discuss said resolution; so, under the rules, it went on the table.

Mr. Dungan submitted the following report:

The joint committee on Enrollment has examined, and found correctly enrolled, the following bills and joint resolution:

H. B. No. 576—To amend section twenty-six, of chapter eight of an act entitled an act to amend, revise and consolidate the statutes relating to crimes and offenses, and to repeal certain acts therein named, to be known as title one, crimes and offenses, part four of the act to revise and consolidate the general statutes of Ohio, (O. L., Vol. 74, p. 271).

H. B. No. 834—To change the time of holding the District Court in Logan county, in the first sub-division of the Third District of Ohio.

H. J. R. No. 95—To request the Board of Trustees of the Ohio Soldiers' and Sailors' Orphans' Home to furnish information therein named.

IRVINE DUNGAN,	J. W. WASHBURN,
R. G. RICHARDS,	E. S. PERKINS,
F. M. CARTER,	A. D. MARSH.

On motion of Mr. Tyler, the Senate adjourned.

Attest:

ALLEN O. MYERS, *Clerk.*

TUESDAY, *March 4*, 1879—10 o'clock A.M.

The Senate met pursuant to adjournment.

Prayer by Rev. D. W. Clark.

The Journal was read and approved.

Bills were read the second time and referred, as follows :

S. B. No. 300—Mr. Johnston—To repeal sections seven and eight, and the revise of chapter one, of title four of the laws relating to error, mandamus and quo warranto, (75, O. L., 805.)

Committee on the Judiciary.

S. B. No. 301—Mr. Benson—To amend section ten of an act relating to crimes and offenses against persons, (74, O. L., 245.)

Committee on the Judiciary.

S. B. No. 272—Mr. Johnston - To amend section forty-nine, of chapter three of an act entitled an act to revise and consolidate the laws relating to procedure in the Probate Court, (75, O. L., 927)—was read the third time.

Leave of absence was asked and obtained for Messrs. Marsh and Jackson of Clinton for to-day.

On demand of Mr. Johnston, a call of the Senate was had.

Messrs. Benson, Lord and Saltzgaber were absent.

On motion of Mr. Richards, further proceedings under the call were dispensed with.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 22, nays none, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Curtiss, Dungan, Fisher, Forrest, Howland, Irvine, Johnston, Joy, Kelley, Krimmel, McDonald, Owens, Parker, Richards, Sabine, Steedman, Stokes, Tyler and Wagener—22.

So the bill passed. The title was agreed to.

On motion of Mr. Forrest, the third reading of S. B. No. 275 was discharged, and said bill ordered to be placed on the calendar for third reading to-morrow.

The following bills were introduced, and read the first time :

S. B. No. 302—Mr. Dungan—To prevent unjust discrimination between shippers on railroads, and to punish violations thereof.

S. B. No. 303—Mr. Sabine—To authorize the Commissioners of Marion county to borrow money to pay an indebtedness of the Marion and Mansfield free turnpike road, and to levy and assess a tax for the payment thereof.

S. B. No. 304—Mr. Steedman—To protect property against thieves.

S. B. No. 305—Mr. Saltzgaber—To authorize the Trustees of the township of Marion, Allen county, Ohio, to transfer funds therein named.

Mr. Dungan submitted the following report:

The standing committee on Corporations other than Municipal, to whom was referred S. B. No. 170—To authorize Boards of Education to compromise and adjust debts—having had the same under consideration, report it back, and recommend its indefinite postponement.

IRVINE DUNGAN, J. R. JOHNSTON,
GEO. P. TYLER, R. G. RICHARDS.

Said report was agreed to.

Mr. Dungan submitted the following report :

The standing committee on Corporations other than Municipal, to whom was referred S. B. No. 250—To amend section nine of an act entitled

an act supplementary to an act entitled an act to provide for the creation and regulation of incorporated companies in the State of Ohio, passed May 1, 1852; passed April 15, 1867, (S. & S., 186,) as amended February 25, 1869, (O. L., Vol. 66, p. 11), as amended April 20, 1874, (O. L., Vol. 71, p. 161), as amended April 11, 1876, (O. L., Vol. 73, p. 188), as amended March 12, 1877, (O. L., Vol. 74, p. 38), as amended March 28, 1878, (O. L., Vol. 75, p. 82), as amended May 3, 1878, (O. L., Vol. 75., p. 128)—having had the same under consideration, report it back, and recommend its indefinite postponement.

IRVINE DUNGAN, J. R. JOHNSTON,
GEO. P. TYLER, R. G. RICHARDS.

On motion of Mr. Richards, said report was laid on the table.

Mr. Dungan submitted the following report:

The standing committee on Corporations other than Municipal, to whom was referred S. B. No. 249—To provide for the sale of the property of certain corporations on execution—having had the same under consideration, report it back, with the following amendments, and recommend its passage when so amended:

In line 3, section 1, after "turnpike", insert "plank road."

In same section, in lines 4 and 6, strike out "fifteen", and insert "ten" in each line.

At the end of section 1, add: "Provided, nothing herein contained shall be so construed as to deprive such company from the same right to give bail for stay of execution within the same time after the rendition of any judgment, that an individual might do."

In section 2, line 9, strike out "and", and after "regulations", insert "and contracts"; and after section 2, add: "and such purchaser shall keep such part of said road in as good repair, so long as he holds the same under such contract, as when possession was taken thereof, ordinary wear by travel excepted."

IRVINE DUNGAN, J. R. JOHNSTON,
GEO. P. TYLER, R. G. RICHARDS.

Said amendments were agreed to, and the bill was ordered to be engrossed and read the third time to-morrow.

Mr. Forrest submitted the following report:

The standing committee on Judiciary, to whom was referred S. B. No. 281—To fix the time for holding an additional term of the District Court in Jackson county, Ohio—having had the same under consideration, report it back, and recommend (with the assent of the author) that it be indefinitely postponed.

W. T. FORREST, D. WAGENER,
G. M. SALTZGABER, IRVINE DUNGAN.

Said report was agreed to.

Mr. Johnston submitted the following report:

The standing committee on Judiciary, to whom was referred H. B. No. 567—To punish improper familiarity with female pupils or teachers—having had the same under consideration, report it back, and recommend its indefinite postponement.

J. R. JOHNSTON, IRVINE DUNGAN,
G. M. SALTZGABER, W. P. HOWLAND.

Said report was agreed to.

Mr. Howland submitted the following report :

The standing committee on Judiciary, to whom was referred House amendments to S. B. No. 265, having had the same under consideration, report them back, and recommend that the Senate agree to the amendments.

W. P. HOWLAND,	IRVINE DUNGAN,
G. M. SALTZGABER,	W. T. FORREST.
J. R. JOHNSTON,	

The question being on concurring in said House amendments, the yeas and nays were ordered, taken, and resulted—yeas 20, nays none, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Carson, Curtiss, Fisher, Forrest, Howland, Johnston, Kelley, McDonald, Owens, Parker, Richards, Saltzgaber, Steedman, Stokes, Tyler, Wagener and Wilson—20.

So the Senate concurred in said House amendments.

Mr. Forrest submitted the following report :

The standing committee on Judiciary, to whom was referred—S. B. No. 295—Sub-dividing the Fifth Common Pleas District, and providing for an additional Judge in the third subdivision therein—having had the same under consideration, report it back, and recommend its passage.

W. T. FORREST,	IRVINE DUNGAN,
D. WAGENER,	G. M. SALTZGABER.

Said bill was ordered to be engrossed and read the third time to-morrow.

Mr. Forrest submitted the following report :

The standing committee on Judiciary, to whom was referred H. B. No. 616—To amend section six, chapter four, division seven of an act entitled an act to amend, revise and consolidate the statutes relating to municipal corporations, to be known as title twelve, part one of the act to revise and consolidate the general statutes of Ohio—having had the same under consideration, report it back, with the following amendments, and recommend its passage when so amended :

Strike out all of line 9, and the figures "1870", on line 10.

Insert "a", after the word "in", on line 10.

Strike out "received", on line eleven, and insert "receive."

W. T. FORREST,	IRVINE DUNGAN,
D. WAGENER,	G. M. SALTZGABER.

Said amendments were agreed to, and the bill was ordered to be engrossed and read the third time to-morrow.

Mr. Forrest submitted the following report :

The standing committee on Judiciary, to whom was referred S. J. R. No. 42—To provide for the purchase and distribution of the two volumes each of Walker & Bates' Ohio Digest, and of McVey's Ohio Digest—having had the same under consideration, report it back, and recommend its indefinite postponement.

W. T. FORREST,	G. M. SALTZGABER,
D. WAGENER,	IRVINE DUNGAN.

Said report was agreed to.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bills, in which the concurrence of the Senate is requested:

H. B. No. 645—Mr. Crosson—To amend section three of an act entitled an act supplementary to an act to provide for the appointment of commissioners to examine claims growing out of the Morgan raid, and prescribing their duties, (Vol. 61, p. 85; S. & S., 466), passed May 13, 1878, (Vol. 75, p. 528).

H. B. No. 700—Mr. Conkright—To authorize the town Council of the incorporated village of Richwood, Union county, Ohio, to transfer certain funds therein named.

H. B. No. 681—Mr. Wright—To amend the act of May 14, 1878, entitled an act to revise and consolidate the laws relating to civil procedure in Courts of Common Pleas and Superior Courts, in District Courts on appeal, and also the laws relating to procedure in error, mandamus and quo warranto, (Vol. 75, O. L., pp. 597–641.)

H. B. No. 615—Mr. Paine—To amend section two of an act entitled an act supplemental to the act passed May 13, 1868, entitled an act to provide for the perpetuation of Boards of Trustees, and the appointment of visitors of universities and colleges, (65, O. L., 188; 69, O. L., 71).

Attest:

L. A. BRUNNER, *Clerk*.

Said bills were read the first time.

Mr. Dungan submitted the following report:

The joint committee on Enrollment has examined, and found correctly enrolled, the following bill and joint resolution:

H. B. No. 581—To amend section fifteen, of chapter thirteen, of division eight of the act entitled an act to amend, revise and consolidate the statutes relating to municipal corporations, to be known as title twelve, part one of the act to revise and consolidate the general statutes of Ohio, passed May 14, 1878.

H. J. R. No. 91—Providing for the treatment and restraint of James King.

IRVINE DUNGAN,
DUNCAN DOW,
F. M. CARTER,

R. G. RICHARDS,
A. D. MARSH,
J. R. JOHNSTON.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The Speaker of the House of Representatives has, in the presence of the House, signed the following bill and joint resolution:

H. B. No. 581—Mr. Norton—To amend section fifteen, of chapter thirteen, of division eight of the act entitled an act to amend, revise and consolidate the statutes relating to municipal corporations, to be known as title twelve, part one of the act to revise and consolidate the general statutes of Ohio, passed May 14, 1878.

H. J. R. No. 91—McCoy of Wayne—Providing for the treatment and restraint of James King.

Attest:

L. A. BRUNNER, *Clerk*.

The President, in presence of the Senate, signed said bill and joint resolution.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The following bills have been introduced in the House of Representatives, and read the first time:

H. B. No. 837—Mr. Swaim—To amend, revise and consolidate the statutes relating to police regulations.

H. B. No. 838—Mr. Marsh—To change the time for holding the second term of the Court of Common Pleas in the county of Mercer, for the year 1879.

H. B. No. 839—Mr. Hitchcock—Supplementary to an act to authorize township trustees of any township in the State to levy a tax for purchasing a hearse and erecting a vault, passed May 14, 1878, (Vol. 75, p. 46.)

H. B. No. 840—Mr. Dalzell—To define liability in pleadings in civil actions for libel.

H. B. No. 841—Mr. Cowgill—To provide a system for fixing the compensation and fees of county officers in certain cases.

H. B. No. 842—Mr. Alexander—To prevent officers from creating debts by or on behalf of the State.

H. B. No. 843—Mr. Harmon—To authorize the Trustees of Hiram township, Portage county, to build a vault and provide means for the payment of the same.

H. B. No. 844—Mr. Perkins—To amend the act of May 7, 1878, entitled an act to revise and consolidate the laws relating to procedure in Probate Court, (Vol. 75, p. 836).

H. B. No. 845—Mr. Oglevee—To enable the Commissioners of Clark county to purchase toll-roads and convert the same into free roads.

H. B. No. 846—Mr. Luccock—To repeal an act entitled an act to amend an act entitled an act to provide for the appointment of a messenger of the Supreme Court, (O. L., Vol. 69, p. 188).

H. B. No. 847—Mr. White—To amend section fifteen of an act entitled an act to amend sections one, three, four, five, ten, eleven, fourteen, fifteen, sixteen, seventeen, eighteen, nineteen, twenty-two, twenty-three, twenty-five, twenty-seven, thirty-three, thirty-five, thirty-six and thirty-eight of chapter two, of the act entitled an act to consolidate, revise and amend the statutes relating to jails and the penitentiary, to be known as part two, title three, jails and penitentiary, passed May 5, 1877, (Vol. 74).

H. B. No. 848—Mr. Wright—To regulate public ware houses.

H. B. No. 849—Mr. Sullivan of Hamilton—For the better protection of lives and property against accidents occasioned by steam, and to prohibit unqualified persons from managing or controlling stationary steam-boilers, engines and apparatus.

H. B. No. 850—Mr. Van Cleaf—To provide for the more efficient education of the deaf and dumb, and to repeal an act to reorganize the Institution for the Education of the Deaf and Dumb, passed May 11, 1878, (O. L., Vol. 75, p. 507).

H. B. No. 851—Mr. Lovelace—To authorize the Trustees of fractional township 4, fractional range 1, Hamilton county, Ohio, to sell school lands in Preble county, Ohio.

H. B. No. 852—Mr. Parker—To authorize County Commissioners to construct free turnpike roads.

H. B. No. 853 — Mr. Dalzell—To fix annual compensation of members of the General Assembly of Ohio, and to repress the evils of absenteeism.

H. B. No. 854 — Mr. Hardy of Defiance—To amend an act entitled an act to amend section twenty of an act entitled an act prescribing the duties of county Auditors, passed April 4, 1859, passed January 16, 1873, (Vol. 70, pp. 10–11.)

H. B. No. 855—Mr. Foster—To provide for the depositing and safe keeping of county funds.

H. B. No. 856—Mr. Bohl—To provide for the disposition of life-insurance policies payable to wife of insured, in certain cases of divorce.

H. B. No. 857—Mr. Sawyer—For the relief of Thomas Diekman.

H. B. No. 858—Mr. Hayman—To amend an act entitled an act to provide for the control and maintenance of libraries in certain cities, which at the last federal census had, and which at any subsequent federal census may have a population of ten thousand five hundred and ninety-two.

H. B. No. 859—Mr. Dempcy—Supplementary to an act entitled an act to regulate the fees of probate judges, clerks of courts, sheriffs, witnesses, jurors, fees in partition, and to repeal certain acts therein named, (Vol. 73, p. 127), and also supplementary to an act entitled an act prescribing the fees of county treasurers, passed February 8, 1877, (Vol. 74. p. 13).

H. B. No. 860—Mr. Herrick—To amend section one, chapter three, division four of an act entitled an act to amend, revise and consolidate the statutes relating to municipal corporations, to be known as title twelve, part one of the act to revise and consolidate the general statutes of Ohio.

H. B. No. 861—Mr. Sextro—To amend the act of May 14, 1878, entitled an act to revise and consolidate the laws relating to civil procedure in Courts of Common Pleas and Superior Courts, in District Courts on appeal, and also the laws relating to procedure in error, mandamus and quo warrant, (Vol. 75, p. 597).

Attest :

L. A. BRUNNER, *Clerk.*

Mr. Richards offered the following joint resolution :

S. J. R. No. 82: *Be it resolved by the General Assembly of the State of Ohio,* That the Supervisor of Public Printing be, and he is hereby directed to omit from the volumes of executive documents to be published, the report of the Secretary of State, the report of the Commissioner of Common Schools, and the report of the Railroad Commissioner.

Said joint resolution was, on motion, referred to the committee on Printing.

On motion of Mr. Forrest, S. B. No. 205 was taken from the table.

The question being on agreeing to the amendments to said bill, as reported by the Judiciary committee—

Said amendments Nos. 1, 2, 3, 4, 5, 6 and 7 were agreed to.

Mr. Steedman moved to amend the committee amendment number 8, by striking out the words “involving moral turpitude,” wherever they occur in said amendment.

Which was disagreed to.

Said amendment No. 8 was then agreed to.

Said bill was ordered to be read the third time now, and was then read.

Pending said third reading, Mr. Curtiss moved that the Senate take a recess.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 12, nays 7, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Curtiss, Howland, Johnston, Kelley, Richards, Sabine, Saltzgaber, Steedman and Tyler—12.

Those who voted in the negative were—

Messrs. Dungan, Fisher, Forrest, Irvine, McDonald, Parker and Stokes—7.

So the motion was agreed to, and the Senate took a recess.

THREE O'CLOCK P.M.

When the Senate took a recess, it had under consideration S. B. No. 205, the third reading of which was concluded.

Mr. Johnston moved to refer the bill to a select committee of one, with instructions to amend as follows :

After subdivision 10, of section 6, of chapter 6, add the following :

11. A record of bonds, in which shall be recorded all bonds of executors, administrators, guardians, trustees and assignees which have been taken and approved by him.

12. A naturalization record, in which shall be entered the declaration of intention of the person seeking to be naturalized, the oath of the person naturalized, and the affidavit or oath of the witnesses who may testify in his behalf, in which affidavit shall be stated the place of residence of such witnesses.

Which was agreed to, and Mr. Johnston was appointed such committee, and reported the bill back amended as instructed.

Mr. Forrest moved to refer the bill to a select committee of one, with instructions to amend as follows :

Section 14, chapter 1, page 175, strike out "has authority," and insert "is authorized" ; line 3, same section, strike out "is", and insert "shall be."

Which was agreed to, and Mr. Forrest was appointed such committee, and reported the bill back amended as instructed.

Mr. Forrest moved to refer the bill to a select committee of one, with instructions to amend as follows :

Section 30, chapter 1, line 1, page 181, strike out the word "has," and insert in lieu thereof the words "shall have."

Which was agreed to, and Mr. Forrest was appointed such committee, and reported the bill back amended as instructed.

Mr. Forrest moved to refer the bill to a select committee of one, with instructions to amend as follows :

Section 33, chapter 1, page 183, line 3, strike out the word "has", and insert in lieu thereof "shall have" ; also in the following sections :

Section 34, chapter 1, page 183, line 1, strike out the word "has," and insert "shall have."

Section 35, chapter 1, page 183, line 4, strike out the word "has," and insert "shall have."

Section 4, chapter 2, page 185, line 9, strike out the word "is," and insert "shall be."

Section 6, chapter 2, page 186, line 1, before the word "have," insert the word "shall."

Section 5, chapter 3, page 189, line 2, strike out the word "has", and insert "shall have."

Section 6, chapter 3, page 189, line 1, strike out the word "has", and insert "shall have."

Section 11, chapter 5, page 206, line 1, strike out the word "has", and insert "shall have."

Section 13, chapter 5, page 207, line 1, strike out the word "has", and insert "shall have."

Section 3, chapter 6, page 211, line 1, strike out the word "has", and insert "shall have."

Section 4, chapter 6, page 211, line 1, after the word "Judges", insert the word "shall."

Section 9, chapter 6, page 214, line 3, strike out the words "is entitled to," and insert "shall."

Section 11, chapter 6, page 215, line 5, strike out the word "has", and insert "shall have."

Section 15, chapter 6, page 218, line 2, strike out the word "has", and insert "shall have."

Section 16, chapter 6, page 218, line 1, strike out the word "has", and insert "shall have."

Section 17, chapter 6, page 218, line 1, strike out the word "has", and insert "shall have."

Section 19, chapter 6, page 219, line 6, strike out the word "is," and insert "shall be."

Section 25, chapter 6, page 223, line 2, strike out the word "are," and insert "shall be."

Section 1, chapter 7, page 224, line 1, strike out the word "has," and insert "shall have."

Section 5, chapter 7, page 226, line 6, strike out the word "has," and insert "shall have."

Section 6, chapter 7, page 226, line 6, strike out the word "is," and insert "shall be."

Section 1, chapter 8, page 228, line 1, strike out the word "is," and insert "shall be."

Section 7, chapter 8, page 231, line 5, strike out the word "dismission," and insert "dismissal."

Section 13, chapter 9, page 238, line 3, strike out the word "is," and insert "shall be."

Section 19, chapter 9, page 242, line 2 of the sixth clause, strike out the word "is," and insert "shall be."

Section 20, chapter 9, page 242, line 2, insert before the word "have" the word "shall."

Section 21, chapter 9, page 242, line 5, strike out the word "has," and insert "shall have."

Section 22, chapter 9, page 243, line 3, strike out the word "has", and insert "shall have."

Section 23, chapter 9, page 243, line 3, strike out the word "is", and insert "shall be."

Section 24, chapter 9, page 243, line 1, insert the word "shall" after the word "peace."

Section 25, chapter 9, page 243, line 1, after the word "justices", insert the word "shall".

Section 25, chapter 9, page 243, line 4, strike out the "s's" at the end of the words "takes" and "effects", and insert before the word "takes" the word "shall."

Section 26, chapter 9, page 243, line 1, strike out "do", and insert "shall."

Section 43, chapter 9, page 250, line 1, strike out the word "is", and insert "shall be".

Section 45, chapter 9, page 250, line 1, strike out the word "is", and insert "shall be;" and in line 2, strike out the word "has", and insert "shall have"; and in line 11, page 251, strike out the word "has" and insert "shall have."

Section 50, chapter 9, page 252, line 2, strike out the word "is", and insert "shall be."

Section 56, chapter 9, page 254, line 1, strike out the word "are", and insert "shall be."

Section 57, chapter 9, page 255, line 2, strike out the word "are," and insert "shall be."

Which was agreed to, and Mr. Forrest was appointed such committee, and reported the bill back amended as instructed.

Mr. Beer moved to refer the bill to a select committee of one, with instructions to amend as follows:

Chapter 6, section 6, page, 211, strike out in line 3, the words "county auditor," and insert "county commissioners."

Mr. Steedman moved to amend the amendment by adding thereto the words "on the order of the Probate Judge."

The question being on agreeing to said amendment to the amendment, the yeas and nays were demanded, taken, and resulted—yeas 14, nays 8, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Fisher, Forrest, Joy, Krimmel, Lord, McDonald, Owens, Parker, Richards, Steedman, Stokes and Tyler—14.

Those who voted in the negative were—

Messrs. Beer, Carson, Curtiss, Howland, Johnston, Kelley, Saltzgaber and Sherrick—8.

So the amendment to the amendment was agreed to.

The question being on agreeing to Mr. Beer's amendment as amended, the yeas and nays were demanded, taken, and resulted—yeas 19, nays 4, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Beer, Carson, Curtiss, Dungan, Fisher, Forrest, Howland, Johnston, Joy, Kelley, Krimmel, Lord, McDonald, Owens, Sherrick, Steedman, Stokes and Tyler—19.

Those who voted in the negative were—

Messrs. Beebe, Parker, Richards and Saltzgaber—4.

So the motion as amended, was agreed to, and Mr. Beer was appointed such committee, and reported the bill back amended as instructed.

Mr. Johnston moved to refer the bill to a select committee of one, with instructions to amend as follows:

In chapter 6, section 24, page 223, in the fifth line from the close of section, strike out the word "ten", and insert in lieu thereof the word "five."

Which was agreed to, and Mr. Johnston was appointed such committee, and reported the bill back amended as instructed.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 26, nays none, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Carson, Curtiss, Dungan, Fisher, Forrest, Howland, Irvine, Johnston, Joy, Kelley, Krimmel, Lord, Marsh,

McDonald, Owens, Parker, Richards, Saltzgaber, Sherrick, Steedman, Stokes, Tyler and Wagener—26.

So the bill passed. The title was agreed to.

On motion of Mr. Joy, the Senate adjourned.

Attest:

ALLEN O. MYERS, *Clerk*.

WEDNESDAY, *March 5*, 1879—10 o'clock A.M.

The Senate met pursuant to adjournment.

Prayer by Rev. J. M. Trimble.

The Journal was read and approved.

Mr. Seitz presented the remonstrance of Lloyd Norris and 41 other citizens of Clinton township, Seneca county, against the passage of H. B. No. 743, by Mr. Norton.

Which was referred to the committee on Roads and Highways.

Mr. Seitz presented the remonstrance of W. P. Noble and 184 other citizens of Tiffin, Seneca county, against the passage of Dodd's House Bill No. 770, on the subject of insurance.

Which was referred to the committee on Insurance.

Mr. Sabine presented the petition of T. C. Wallace and 23 other citizens of Marion county, asking the passage of an act to enable the Commissioners of Marion county to issue bonds and levy a tax.

Which was referred to the committee on Roads and Highways.

Mr. Curtiss presented the remonstrance of L. S. Bull and 44 other citizens of Solon, Cuyahoga county, against the passage of Mr. Foster's Infirmary Bill; and should the bill pass, ask that the township of Solon be excepted from a tax for such purpose.

Which was referred to the committee on Finance.

Mr. Marsh presented the petition of J. F. Cunningham and 40 other citizens of Hamilton county, asking the passage of a local option bill.

Which was referred to the committee on Sanitary Laws and Regulations.

Bills were read the second time and referred, as follows:

H. B. No. 645—Mr. Crosson—To amend section three of an act entitled an act supplementary to an act to provide for the appointment of commissioners to examine claims growing out of the Morgan raid, and prescribing their duties, (Vol. 61, p. 85; Swan & Sayler, 466), passed May 13, 1878, (Vol. 75, p. 528).

Committee on Claims.

H. B. No. 700—Mr. Conkright—To authorize the town Council of the incorporated village of Richwood, Union county, Ohio, to transfer certain funds therein named.

Committee on Municipal Corporations.

H. B. No. 681—Mr. Wright—To amend the act of May 14, 1878, entitled an act to revise and consolidate the laws relating to civil procedure in Courts of Common Pleas and Superior Courts, in District Courts on appeal, and also the laws relating to procedure in error, mandamus and quo warranto, (Vol. 75, O. L., pp. 597-641).

Committee on the Judiciary.

H. B. No. 615—Mr. Paine—To amend section two of an act entitled an

act supplemental to the act passed May 13, 1868, entitled an act to provide for the perpetuation of Boards of Trustees, and the appointment of visitors of universities and colleges, (Vol. 65, O. L., p. 188; Vol. 69, O. L., p. 71).

Committee on Universities, Colleges and Academies.

S. B. No. 302—Mr. Dungan—To protect unjust discrimination between shippers on railroads, and to punish violations thereof.

Mr. Sherrick moved to refer the bill to the committee on Corporations other than Municipal.

Mr. Johnston moved to amend by substituting the committee on Railroads, Turnpikes and Telegraphs.

The question under the rules first being on referring the bill to the committee on Corporations other than Municipal, the yeas and nays were demanded, taken, and resulted—yeas 11, nays 19, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Benson, Dungan, Fisher, Forrest, Irvine, Parker, Saltzgaber, Seitz, Sherrick and Stokes—11.

Those who voted in the negative were—

Messrs. Beebe, Beer, Carson, Curtiss, Grove, Jackson of Clinton, Jackson of Perry, Johnston, Joy, Kelley, Krimmel, Lord, McDonald, Richards, Sabine, Steedman, Tyler, Williams and Wilson—19.

So the motion was disagreed to.

Mr. Johnston's motion, to refer the bill to the committee on Railroads, Turnpikes and Telegraphs, was then agreed to.

S. B. No. 303—Mr. Sabine—To authorize the Commissioners of Marion county to borrow money to pay an indebtedness of the Marion and Mansfield free turnpike road, and to levy and assess a tax for the payment thereof.

Committee on Roads and Highways.

S. B. No. 304—Mr. Steedman—To protect property against thieves.

Committee on the Judiciary.

S. B. No. 305—Mr. Saltzgaber—To authorize the Trustees of the township of Marion, Allen county, Ohio, to transfer funds therein named.

On motion of Mr. Saltzgaber, said bill was ordered to be engrossed and read the third time to-morrow.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The following bills have been introduced in the House of Representatives, and read the first time:

H. B. No. 862—Mr. Meuser—To amend sections one and eleven, of chapter six, division seven of an act entitled an act to revise and consolidate the laws relating to civil procedure in Courts of Common Pleas and Superior Courts, in District Courts on appeal, and also the laws relating to procedure in error, mandamus and quo warranto.

H. B. No. 863—Mr. Klimper—To more fully secure the equal and just taxation of property.

H. B. No. 864—Mr. Williamson—To consolidate the territory comprising the township of New London, in Huron county, Ohio, into a special school district.

H. B. No. 865—Mr. Sheets—To authorize the Trustees of Findlay

township, Hancock county, to levy a tax to macadamize and improve the roads and highways in said township.

H. B. No. 866—Mr. Boyce—To punish county officers for certain offenses therein named.

H. B. No. 867—Mr. Dow—To change certain specified times for holding Court of Common Pleas in the counties of Hardin and Logan for the year A.D. 1879.

Attest:

L. A. BRUNNER, *Clerk*.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bills, in which the concurrence of the Senate is requested:

H. B. No. 586—Mr. Hume—To authorize the Commissioners of Shelby county to build one or more bridges within the limits of the villages of Newport and Berlin, in said county.

H. B. No. 781—Mr. Hardy of Defiance—Supplementary to the act entitled an act to incorporate the Defiance Female Seminary, in the county of Defiance, passed March 23, 1850.

Attest:

L. A. BRUNNER, *Clerk*.

Said bills were read the first time.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has concurred in the adoption of the following joint resolution:

S. J. R. No. 80—Mr. Richards—For the relief of the Commissioners of Jefferson county—with the following amendment, in which the concurrence of the Senate is requested:

Strike out all after the word "Ohio", in line 13, and insert the following: "that the costs of the prosecution and transportation of said Homer Carl be paid as now provided by law in cases of convictions for felony."

Attest:

L. A. BRUNNER, *Clerk*.

Mr. Richards moved that said S. J. R. No. 80, with House amendments be referred to a select committee of three.

Which was agreed to, and the President appointed Messrs. Richards, Steedman and Forrest as such committee.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has adopted the following joint resolution, in which the concurrence of the Senate is requested:

H. J. R. No. 90—Mr. Achauer—Authorizing the Governor to give deed to certain lots.

Attest:

L. A. BRUNNER, *Clerk*.

On motion of Mr. Sherrick, said joint resolution was referred to the committee on Claims.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The House of Representatives has concurred in the passage of the following bill :

S. B. No. 241—Mr. Tyler—To amend section six, chapter five, title two of an act entitled an act to amend, revise and consolidate the statutes relating to criminal procedure, (O. L., Vol. 74, p. 340)—with the following amendments, in which the concurrence of the Senate is requested :

In line 8, strike out the word "such," and insert "any."

Add at close of section 1, the following :

SEC. 2. No partner in the practice of the law, of any attorney having charge of any criminal prosecution, shall act in aid of such attorney having such charge in the prosecution of any criminal case."

Attest :

L. A. BRUNNER, *Clerk.*

On motion of Mr. Howland, said bill and House amendments were referred to the committee on the Judiciary.

H. B. No. 616—Mr. Williams—To amend section six, chapter four, division seven of an act entitled an act to amend, revise and consolidate the statutes relating to municipal corporations, to be known as title twelve, part one of the act to revise and consolidate the general statutes of Ohio—was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 24, nays none, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Curtiss, Dungan, Fisher, Forrest, Grove, Howland, Jackson of Clinton, Jackson of Perry, Johnston, Kelley, Lord, Marsh, McDonald, Owens, Parker, Richards, Sherrick, Stokes, Tyler, Williams and Wilson—24.

So the bill passed. The title was agreed to.

S. B. No. 275—Mr. Grove—To authorize the election of one additional Judge of the Court of Common Pleas in the first subdivision of the Second Judicial District of Ohio—was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 24, nays 6, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Benson, Carson, Curtiss, Dungan, Forrest, Grove, Jackson of Clinton, Jackson of Perry, Johnston, Joy, Kelley, Krimmel, Lord, Marsh, McDonald, Parker, Richards, Sabine, Saltzgaber, Steedman, Stokes, Tyler and Wilson—24.

Those who voted in the negative were—

Messrs. Beer, Fisher, Howland, Owens, Seitz and Sherrick—6.

So the bill passed. The title was agreed to.

S. B. No. 249—Mr. Dungan—To provide for the sale of the property of certain corporations on execution—was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 24, nays 4, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Benson, Carson, Dungan, Fisher, Forrest, Grove, Jackson of Clinton, Jackson of Perry, Johnston, Joy, Krimmel, Lord, Marsh, McDonald, Parker, Richards, Saltzgaber, Seitz, Sherrick, Steedman, Stokes, Tyler and Williams—24.

Those who voted in the negative were—

Messrs. Beer, Howland, Kelley and Sabine 4.

So the bill passed. The title was agreed to.

S. B. No. 295—Mr. Wilson—Sub-dividing the Fifth Common Pleas District, and providing for an additional Judge in the third subdivision therein—was read the third time.

The question being “Shall the bill pass?” the yeas and nays were taken, and resulted—yeas 30, nays none, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Beer, Benson, Carson, Curtiss, Dungan, Fisher, Forrest, Grove, Howland, Jackson of Clinton, Jackson of Perry, Johnston, Joy, Kelley, Krimmel, Lord, Marsh, McDonald, Owens, Parker, Richards, Sabine, Saltzgaber, Sherrick, Steedman, Stokes, Tyler, Williams and Wilson—30.

So the bill passed. The title was agreed to.

The Senate then proceeded to the consideration of S. J. R. No. 55.

The question being on agreeing to the amendments reported by the committee on Fees and Salaries of county officers—

The same were agreed to.

Mr. Dungan moved to amend said joint resolution as follows:

Strike out from line 15 to “75,000,” in line 34, inclusive, and insert: “and in counties having twenty thousand, and less than sixty thousand inhabitants, \$100 for each additional thousand inhabitants over twenty thousand; and in counties having sixty thousand inhabitants, not more than \$5,000, and \$80 for every additional thousand inhabitants over sixty thousand.”

And after line 45, insert: “but the General Assembly may provide by law that the Court of Common Pleas, upon the application of the officer and county commissioners, and upon it being made to appear that additional clerical force is necessary to perform labor under any law authorizing ditches and drains, free turnpikes, or improved road laws, or other public improvements, may confirm appointments made to the court by the officer requiring the same, and fix the compensation of such temporary clerk, which shall in no case exceed and shall be only paid out of the fees provided for by the laws imposing such additional work, and shall cease when each improvement is completed.”

Leave of absence was asked and obtained for Mr. Saltzgaber until Monday next.

On motion of Mr. Dungan, the Senate took a recess.

THREE O'CLOCK P.M.

When the Senate took a recess, the pending question was on Mr. Dungan's motion to amend S. J. R. No. 55.

Mr. Wilson moved to amend said amendment by striking out all after the word “insert”, in line 13, and inserting the following therefor:

And in counties having a population of twenty thousand and over, the sum of sixteen hundred dollars, and two dollars for each additional one hundred inhabitants over and above twenty thousand. But in no case shall the compensation of any such officer exceed five thousand dollars per annum. But any officer may appoint such deputies and assistants as are necessary in addition to his services, for such term and compensation as is fixed by the County Commissioners and approved by the Court of Common Pleas of the county.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 20, nays 11, as follow :

Those who voted in the affirmative were—

Messrs. Beebe, Beer, Carson, Curtiss, Fisher, Grove, Howland, Irvine, Jackson of Clinton, Johnston, Krimmel, Lord, Owens, Richards, Sabine, Sherrick, Steedman, Tyler, Wagener and Wilson—20.

Those who voted in the negative were—

Messrs. Armstrong, Benson, Dungan, Forrest, Joy, Marsh, McDonald, Parker, Seitz, Stokes and Williams—11.

So the motion was agreed to.

The question then being on agreeing to Mr. Dungan's amendment as amended—

Mr. Seitz moved that the further consideration of said joint resolution be postponed until 11 o'clock to-morrow.

Which was disagreed to.

Mr. Joy moved that said joint resolution be laid on the table and ordered to be printed.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 15, nays 17, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Benson, Carson, Curtiss, Forrest, Irvine, Jackson of Clinton, Joy, Krimmel, Parker, Steedman, Stokes, Tyler, Wagener and Williams—15.

Those who voted in the negative were—

Messrs. Beebe, Beer, Dungan, Fisher, Grove, Howland, Johnston, Kelley, Lord, Marsh, McDonald, Owens, Richards, Sabine, Seitz, Sherrick and Wilson—17.

So the motion was disagreed to.

The question recurring on agreeing to Mr. Dungan's amendment as amended—

Mr. Irvine moved that said joint resolution and amendments be postponed until 3 o'clock to-morrow.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 19, nays 13, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Benson, Carson, Dungan, Forrest, Irvine, Joy, Krimmel, Lord, Marsh, McDonald, Parker, Seitz, Steedman, Stokes, Tyler, Wagener and Williams—19.

Those who voted in the negative were—

Messrs. Beer, Curtiss, Fisher, Grove, Howland, Jackson of Clinton, Johnston, Kelley, Owens, Richards, Sabine, Sherrick and Wilson—13.

So the motion was agreed to.

The following bills were introduced, and read the first time :

S. B. No. 306—Mr. Curtiss—To amend section five, chapter five, subdivision one of an act entitled an act to revise and consolidate the laws relating to civil procedure in Courts of Common Pleas and Superior Courts, in District Courts on appeal, and also the laws relating to procedure in error, mandamus and quo warranto, (Laws of 1878, pp. 597-614.)

S. B. No. 307—Mr. Forrest—To establish a quarantine in certain cities, and for other purposes.

S. B. No. 308—Mr. Forrest—To revise and consolidate the general statutes of Ohio.

Mr. Sherrick moved that the constitutional rule be suspended, that said S. B. No. 308 might be read the first time by its title.

Mr. Johnston raised the point of order, that after the Clerk had commenced the reading of a bill, by reading the words "A Bill", that a motion to suspend the rules was out of order.

The President held that the point of order was not well taken.

The question being on Mr. Sherrick's motion to suspend the rules, the yeas and nays were taken, and resulted—yeas 20, nays 11, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Benson, Carson, Curtiss, Dungan, Fisher, Forrest, Grove, Jackson of Clinton, Jackson of Perry, Krimmel, Marsh, Parker, Seitz, Sherrick, Steedman, Stokes, Tyler, Wagener and Williams—20.

Those who voted in the negative were—

Messrs. Beer, Howland, Irvine, Johnston, Kelley, Lord, McDonald, Owens, Richards, Sabine and Wilson—11.

So the motion was disagreed to.

Mr. Richards submitted the following report :

The joint committee on Enrollment has examined, and found correctly enrolled, the following bills :

Substitute for S. B. No. 55—An act to provide for the better regulation of sales on execution and order of sale.

S. B. No. 265—An act to amend section seven, chapter one, division four of an act to revise and consolidate the laws relating to civil procedure in Courts of Common Pleas and Superior Courts, in District Courts on appeal, and also the laws relating to procedure in error, mandamus and quo warranto, passed May 14, 1878, (O. L., Vol. 75, p. 667).

R. G. RICHARDS,	J. R. JOHNSTON,
IRVINE DUNGAN,	A. D. MARSH,
J. W. WASHBURN,	WM. JESSUP.
E. S. PERKINS,	

Mr. Howland moved that said S. B. No. 308 be laid on the table.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 13, nays 17, as follow :

Those who voted in the affirmative were—

Messrs. Beebe, Beer, Carson, Curtiss, Howland, Irvine, Jackson of Clinton, Johnston, Kelley, Lord, Richards, Sabine and Wilson—13.

Those who voted in the negative were—

Messrs. Armstrong, Dungan, Fisher, Forrest, Grove, Krimmel, Marsh, McDonald, Owens, Parker, Seitz, Sherrick, Steedman, Stokes, Tyler, Wagener and Williams—17.

So the motion was disagreed to.

On demand of Mr. Steedman, a call of the Senate was had.

Messrs. Benson, Carlisle and Joy, were absent.

Mr. Marsh moved that the Sergeant-at-Arms be dispatched for absentees.

Which was disagreed to.

Leave of absence was asked and obtained for Mr. Carlisle until tomorrow.

On motion of Mr. Forrest, further proceedings under the call were dispensed with.

Mr. Seitz moved that the vote whereby the Senate refused to suspend the constitutional rule, that S. B. No. 308 might be read the first time by its title, be reconsidered.

Which was agreed to.

The question then recurring on Mr. Sherrick's motion to suspend the

rules, the yeas and nays were taken, and resulted—yeas 22, nays 9, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Carson, Curtiss, Dungan, Fisher, Forrest, Grove, Irvine, Jackson of Clinton, Jackson of Perry, Krimmel, Marsh, Parker, Seitz, Sherrick, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—22.

Those who voted in the negative were—

Messrs. Beer, Howland, Johnston, Kelley, Lord, McDonald, Owens, Richards and Sabine—9.

So the motion was disagreed to.

Said bill was then read the first time.

On motion of Mr. Sherrick, the Senate adjourned.

Attest :

ALLEN O. MYERS, *Clerk.*

THURSDAY, *March 6*, 1879—10 o'clock A.M.

The Senate met pursuant to adjournment.

Prayer by Rev. J. M. Trimble.

The Journal was read and approved.

Bills were read the second time and referred, as follows :

H. B. No. 586—Mr. Hume—To authorize the Commissioners of Shelby county to build one or more bridges within the limits of the villages of Newport and Berlin, in said county.

Committee on Finance.

H. B. No. 781—Mr. Hardy of Defiance—Supplementary to the act entitled an act to incorporate the Defiance Female Seminary, in the county of Defiance, passed March 23, 1850.

Committee on Universities, Colleges and Academies.

Mr. Sherrick moved that the constitutional rule, requiring bills to be read in full, be suspended, that S. B. No. 308, may be read the second time by its title.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 15, nays 9, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Benson, Carlisle, Carson, Dungan, Fisher, Grove, Krimmel, Marsh, Parker, Seitz, Sherrick, Stokes, Wagener and Williams—15.

Those who voted in the negative were—

Messrs. Beebe, Beer, Howland, Johnston, Kelley, Lord, Owens, Richards and Sabine—9.

So the motion, having failed to receive a constitutional majority, was disagreed to.

Said S. B. No. 308—Mr. Forrest—To revise and consolidate the general statutes of Ohio—was then read the second time, and referred to the committee on the Judiciary.

S. B. No. 305—Mr. Saltzgaber—To authorize the Trustees of the township of Marion, Allen county, Ohio, to transfer funds therein named—was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 18, nays none, as follow :

Those who voted in the affirmative were—

Messrs. Beebe, Beer, Carlisle, Carson, Curtiss, Fisher, Grove, Howland, Irvine, Jackson of Clinton, Kelley, Lord, McDonald, Sabine, Steedman, Stokes, Williams and Wilson—18.

So the bill passed. The title was agreed to.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bills, in which the concurrence of the Senate is requested:

H. B. No. 839—Mr. Hitchcock—Supplementary to an act to authorize township trustees of any township in this State to levy a tax for purchasing a hearse and erecting a vault, passed March 14, 1878, (Vol. 75, p. 46).

H. B. No. 729—Mr. Sturgeon—To provide for the purchase of tents for the Ohio National Guards.

H. B. No. 738—Mr. Parker—For the relief of G. W. Drake.

Attest:

L. A. BRUNNER, *Clerk*.

Said bills were read the first time.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House returns herewith S. B. No. 205, and respectfully request that it be engrossed in accordance with rule second: Substitute for Senate Joint Resolution in regard to codified bills.

Attest:

L. A. BRUNNER, *Clerk*.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has concurred in Senate amendments to—

H. B. No. 616—Mr. Williams—To amend section six, chapter four, division seven of an act entitled an act to amend, revise and consolidate the statutes relating to municipal corporations, to be known as title twelve, part one of the act to revise and consolidate the general statutes of Ohio.

Attest:

L. A. BRUNNER, *Clerk*.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The following bills have been introduced in the House of Representatives, and read the first time:

H. B. No. 868—Mr. Wright—To punish improper familiarity with female pupils.

H. B. No. 869—Mr. Foster—To amend section five, chapter fifteen, division eight of an act entitled an act to amend, revise and consolidate the statutes relating to municipal corporations, to be known as title twelve,

part one of the act to revise and consolidate the general statutes of Ohio, passed and took effect May 14, 1878, (Vol. 75, p. 395.)

H. B. No. 870—Mr. Estill—To authorize the Board of Education of Paint township, in Holmes county, to transfer certain funds from the contingent fund to the tuition fund.

H. B. No. 871—Mr. Lovelace—Supplementary to the act relating to cities of the first class having a population exceeding one hundred and fifty thousand inhabitants, passed May 4, 1869, (Vol. 66, p. 90).

H. B. No. 872—Mr. Rimer—For the relief of Jacob Gehres and others sureties on the official bond of Peter F. Feigert, late Treasurer of Van Wert county, Ohio.

H. B. No. 873—Mr. Loder—To repeal section four of an act passed April 18, 1873, and section one of an act passed April 24, 1877, supplementary to the act relating to cities of the first class having a population exceeding one hundred and fifty thousand inhabitants, passed May 4, 1869.

H. B. No. 874—Mr. Dodds—Supplementary to the act of May 4, 1869, entitled an act relating to cities of the first class having a population exceeding one hundred and fifty thousand inhabitants, (Vol. 66, p. 80).

H. B. No. 875—Mr. Wales—Supplementary to an act entitled an act to authorize County Commissioners in certain cases to accept devises and legacies, and to erect and maintain an Orphan Asylum in connection with a Children's Home, passed February 11, 1869.

H. B. No. 876—Mr. Lovelace—To abolish the system of contracting for the labor of the inmates of the penal and correctional institutions of the State of Ohio.

H. B. No. 877—Mr. Mackey—To authorize the creation of a special school district in Springfield township, Mahoning county, Ohio.

H. B. No. 878—Mr. Palmer—To protect the manufacturers and bottlers of mineral water, ale, etc.

Attest:

L. A. BRUNNER, *Clerk*.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has concurred in the passage of the following bill:

S. B. No. 235—Mr. Howland—To regulate contracts of insurance of buildings and structures—with the following amendments, in which the concurrence of the Senate is requested:

Section 1, line 11, strike out all after words "partial loss" to end of section, and insert the following: "the full amount of the partial loss shall be paid. In case there are two or more policies upon the property, each policy shall contribute to the payment of the whole of the partial loss in proportion to the amount of insurance mentioned in each policy, but in no case shall any insurer be required to pay more than the amount mentioned in its policy."

In section 3, strike out the words "its passage," and insert: "the first day of July next after its passage."

Attest:

L. A. BRUNNER, *Clerk*.

On motion of Mr. Howland, said bill and House amendments were referred to the committee on the Judiciary.

Mr. Fisher submitted the following report :

The standing committee on Finance, to whom was referred H. B. No. 737—Making appropriations for deficiencies, which are payable out of the general revenue fund—having had the same under consideration, report it back, with the following amendments, and recommend its passage when so amended :

In section 1, strike out line 18.

In line 26, strike out “volume on paleontology,” and insert: “volume three Geology.”

In line 30, strike out “five hundred and fifty six,” and insert: “sixteen hundred and fifty-two.”

J. C. FISHER,	THOS. M. BEER,
J. SHERRICK,	H. W. CURTISS.

Said amendments were agreed to, and the bill was ordered to be engrossed and read the third time now, and was then read.

The question being “Shall the bill pass?” -

Mr. Sherrick moved to refer the bill to a select committee of one, with instructions to amend as follows :

Strike out in section 1, lines 7 and 8, “forty-one hundred and one dollars, (\$4,101.00),” and insert: “forty-one hundred and eighty-five dollars, (\$4,185.00).”

Which was agreed to, and Mr. Sherrick was appointed such committee, and reported the bill back amended as instructed.

Mr. Sherrick moved to refer the bill to a select committee of one, with instructions to amend as follows :

Strike out lines 12 and 13, in section 1, and insert: “care of Capitol and grounds, eleven hundred and seventy-eight dollars, (\$1,178.00); wages of employees, seventeen hundred and ten dollars, (\$1,710.00).”

Which was agreed to, and Mr. Sherrick was appointed such committee, and reported the bill back amended as instructed.

Mr. Steedman moved to refer the bill to a select committee of one, with instructions to amend as follows :

In section 1, line 14, strike out “five hundred dollars (\$500.00),” and insert: “sixteen hundred dollars (\$1,600.00).”

Which was agreed to, and Mr. Steedman was appointed such committee, and reported the bill back amended as instructed.

The question being “Shall the bill pass?” the yeas and nays were taken, and resulted—yeas 27, nays none, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Carlisle, Carson, Curtiss, Dungan, Fisher, Grove, Irvine, Jackson of Clinton, Jackson of Perry, Johnston, Joy, Kelley, Krimmel, Lord, Marsh, McDonald, Owens, Parker, Sabine, Sherrick, Steedman, Stokes, Williams and Wilson—27.

So the bill passed. The title was agreed to.

Mr. Sherrick submitted the following report:

The standing committee on Finance, to whom was referred H. B. No. 718—Making appropriations for deficiencies out of the asylum fund—having had the same under consideration, report it back, and recommend its passage.

J. SHERRICK,	W. W. CURTISS,
THOS. M. BEER,	J. C. FISHER.

Said bill was ordered to be engrossed and read the third time now, and was then read.

Mr. Krimmel moved to refer the bill to a select committee of one, with instructions to amend as follows:

Between lines 25 and 26 insert as follows: "For J. E. Hartman, architect, for specifications and estimates for self-supporting truss-roof, fifty dollars.

Which was agreed to, and Mr. Krimmel was appointed such committee, who reported the bill back amended as instructed.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 26, nays none, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Carlisle, Carson, Curtiss, Dungan, Fisher, Grove, Howland, Irvine, Jackson of Clinton, Johnston, Joy, Kelley, Krimmel, Lord, Marsh, McDonald, Owens, Sabine, Sherrick, Stokes, Wagener, Williams and Wilson—26.

So the bill passed. The title was agreed to.

Leave of absence was asked and obtained for Messrs. Forrest and Tyler, for to-day, on account of sickness.

Mr. Howland moved that the vote whereby S. B. No. 235, with House amendments, was referred to the Judiciary committee be reconsidered.

Which was agreed to.

On motion of Mr. Sherrick, said bill and pending amendments were laid on the table.

MESSAGE FROM THE GOVERNOR.

THE STATE OF OHIO, EXECUTIVE DEPARTMENT,

COLUMBUS, 6th day of March, 1879.

To the Senate:

I have the honor to nominate, and by and with the advice and consent of the Senate, appoint William J. Elliott, of Cincinnati, Hamilton county, to be Supervisor of Public Printing, for the term of two years, commencing April 11, 1879.

Very respectfully,

RICHARD M. BISHOP.

On motion of Mr. Johnston, said communication was referred to the committee on Public Printing.

Mr. Owens offered the following resolution, which was adopted:

S. R. No. 87: WHEREAS, It is currently reported that, during the session of the Senate on March 5th, Allen O. Myers, the Chief Clerk of the Senate, on the floor of the Senate, did, as such clerk, so conduct himself as to purposely impede the business of the Senate, and in a manner to purposely show his contempt for the authority of the Senate, and did use language, of and concerning Senators, and of and concerning the presiding officer of the Senate, that was ungentlemanly, unbecoming and grossly disorderly and disrespectful toward the Senate and its presiding officer; therefore,

Resolved, That a committee of five Senators be appointed to investigate as to the truth or falsity of said report, and that said committee report

the result of their investigation to the Senate at as early a day as practicable, for the action of the Senate thereon.

On motion of Mr. Lord, the Senate took a recess.

THREE O'CLOCK P.M.

Mr. Richards submitted the following report:

The select committee of three, to whom was referred S. J. R. No. 80—For the relief of the Commissioners of Jefferson county—having had the same under consideration, report it back, and recommend that the Senate agree to the House amendments.

JAMES B. STEEDMAN,
R. G. RICHARDS,
W. T. FORREST.

The question being on concurring in said House amendments, the yeas and nays were ordered, taken, and resulted—yeas 25, nays none, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Carlisle, Carson, Curtiss, Dungan, Fisher, Grove, Irvine, Jackson of Clinton, Jackson of Perry, Johnston, Kelley, Lord, Marsh, Owens, Parker, Richards, Sherrick, Steedman, Tyler, Wagener, Williams and Wilson—25.

So the Senate concurred in said House amendments.

The Senate proceeded to the order of the hour, viz.: S. J. R. No. 55.

Mr. Fisher moved to reconsider the vote whereby Mr. Dungan's amendment to said joint resolution was agreed to.

Which was agreed to.

On motion of Mr. Dungan, said joint resolution and pending amendments were referred to the committee on Fees and Salaries of County Officers.

Mr. Marsh submitted the following report:

The standing committee on Municipal Corporations, to whom was referred S. B. No. 197—To repeal an act entitled an act to regulate the letting of contracts for the doing of public work, and the better protection of mechanics, passed May 5, 1877, (O. L., Vol. 74, p. 186)—having had the same under consideration, report it back, and recommend its indefinite postponement.

THEO. MARSH, G. A. GROVE,
G. W. WILSON, LYMAN J. JACKSON.
R. G. RICHARDS,

Said report was agreed to.

Mr. Johnston submitted the following report:

The standing committee on Judiciary, to whom was referred S. B. No. 278—Requiring an examination of articles of incorporation by the Attorney-general—having had the same under consideration, report it back, and recommend its passage.

IRVINE DUNGAN, D. WAGENER,
LYMAN J. JACKSON, J. R. JOHNSTON.

Said bill was ordered to be engrossed and read the third time to-morrow.

Mr. Marsh submitted the following report:

The standing committee on Municipal Corporations, to whom was referred S. B. No. 257—To amend section fourteen, of chapter three, of division four of the act relating to municipal corporations, (O. L., Vol.

75, p. 308)—having had the same under consideration, report it back, and recommend its passage.

R. G. RICHARDS, LYMAN J. JACKSON,
THEO. MARSH, G. W. WILSON.
G. A. GROVE,

Said bill was ordered to be engrossed and read the third time to-morrow.

Mr. Marsh presented the petition and remonstrance of the Builders' Exchange, and other citizens of Hamilton county, concerning the passage of S. B. No. 276—To amend an act to regulate the letting of contracts for the doing of public work, etc.

Which was referred to the committee on Municipal Corporations.

The President appointed the following committee, in pursuance of S. R. No. 87: Messrs. Steedman, Fisher, Marsh, Howland and Wilson.

Mr. Howland moved that the S. B. No. 235, and House amendments thereto, be taken from the table.

Which was agreed to.

The question being on concurring in said House amendments, the yeas and nays were ordered, taken, and resulted—yeas 28, nays 1, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Carlisle, Carson, Curtiss, Dungan, Fisher, Howland, Irvine, Jackson of Clinton, Johnston, Joy, Kelley, Lord, Marsh, Owens, Parker, Richards, Sabine, Seitz, Sherrick, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—28.

Mr. Grove voted in the negative.

So the Senate concurred in said House amendments.

Mr. Johnston submitted the following report:

The standing committee on Judiciary, to whom was referred S. B. No. 300—To repeal sections seven, eight and nine, of chapter one, of title four of the laws relating to error, mandamus and quo warranto, (O. L., Vol. 75, p. 805 et. seq.)—having had the same under consideration, report it back, and recommend its passage.

J. R. JOHNSTON, W. T. FORREST,
W. P. HOWLAND, IRVINE DUNGAN.
LYMAN J. JACKSON,

Said bill was ordered to be engrossed and read the third time now, and was then read.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 28, nays 1, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Carlisle, Carson, Curtiss, Dungan, Fisher, Grove, Howland, Irvine, Jackson of Clinton, Jackson of Perry, Johnston, Joy, Marsh, McDonald, Owens, Parker, Richards, Sabine, Sherrick, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—28.

Mr. Seitz voted in the negative.

So the bill passed. The title was agreed to.

Mr. Carson submitted the following report:

The standing committee on Common Schools and School Lands, to whom was referred H. B. No. 647—For the transfer of certain lots of land in the township of Newburg, Cuyahoga county, from the control of the Board of Education of the city of Cleveland to the Board of Education of the township of Newburg—having had the same under consideration, report it back, and recommend its passage.

J. M. CARSON, R. G. RICHARDS,
G. A. GROVE, H. C. LORD.
THOS. M. BEER,

Said bill was ordered to be engrossed and read the third time to-morrow.

Mr. Carson submitted the following report:

The standing committee on Common Schools and School Lands, to whom was referred S. B. No. 258—To create a special school district in Windham township, Portage county Ohio—having had the same under consideration, report it back, and recommend its indefinite postponement.

J. M. CARSON,	H. C. LORD,
R. G. RICHARDS,	G. A. GROVE.
THOS. M. BEER,	

Said report was agreed to.

Bills were read the second time and referred, as follows:

S. B. No. 306—Mr. Curtiss—To amend section five, chapter five, subdivision one of an act entitled an act to revise and consolidate the laws relating to civil procedure in Courts of Common Pleas and Superior Courts, in District Courts on appeal, and also the laws relating to procedure in error, mandamus and quo warrant, (Laws of 1878, pp. 597-614.)

Committee on the Judiciary.

S. B. No. 307—Mr. Forrest—To establish a quarantine in certain cities, and for other purposes.

Committee on Sanitary Laws and Regulations.

Mr. Joy submitted the following report:

The committee on Railroads, Telegraphs and Turnpikes, to whom was referred S. B. No. 294—To regulate the receiving, transportation and delivery of grain by railroad corporations, and defining the duties of such corporations with respect thereto—having had the same under consideration, report it back, with the following amendments, and recommend its passage when so amended:

In section 2, line 4, strike out the word "said", and insert "such."

In line 5, after the word "which", the words "is or"; and strike out the words "used or is", at the end of the line.

In line 7, insert the word "proper", after the word "permit."

In line 8, after the word "maintained", insert: "by any other railroad corporation with any track it may have or use as above stated."

In line 10, after the word "such", insert the word "connecting"; and strike out the word "corporation."

Strike out all after the word "less", in line 13, to the word "and", in line 14.

In line 13, insert after the word "for", the words "any distance of."

Strike out all after "mile", in line 14, to the word "charge", at the end of line 15, and insert: "for any additional distance of one mile or less, to be computed over the shortest route."

In line 35, after the word "manage", strike out the words "such railroad corporation", and insert: "the track of such railroad by which any other railroad may have connection with any such ware house, elevator or place to which grain is transported as herein before stated."

In line 2, section 3, strike out the word "consignee", after the word "or", and insert: "by the consignee upon his producing proper showing of his right so to do."

In line 4, insert the word "such", after the word "any."

In line 5, strike out the words "by the consignee."

Insert at the close of the section: "unless an additional haul is thereby made, for which a reasonable charge may be collected."

GEO. P. TYLER,	H. SABINE,
D. JOY,	THOS. M. BEER,
J. C. FISHER,	H. C. LORD.

Said amendments were agreed to, and the bill was ordered to be engrossed and read the third time to-morrow.

Mr. Tyler submitted the following report:

The standing committee on Corporations other than Municipal, to whom was referred H. J. R. No. 86—To examine into charges made against railroads discriminating in rates of freight—having had the same under consideration, report it back without recommendation.

GEO. P. TYLER,	R. G. RICHARDS,
IRVINE DUNGAN,	J. M. ARMSTRONG.

The question being on the adoption of the joint resolution, the yeas and nays were taken, and resulted—yeas 12, nays 16, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Carlisle, Carson, Grove, Jackson of Perry, Joy, Lord, McDonald, Sabine, Steedman, Tyler and Wagener—12.

Those who voted in the negative were—

Messrs. Beebe, Beer, Curtiss, Dungan, Fisher, Irvine, Jackson of Clinton, Johnston, Kelley, Marsh, Owens, Parker, Seitz, Stokes, Williams and Wilson—16.

So the joint resolution, not having received a constitutional majority, was lost.

Mr. Johnston submitted the following report:

The joint committee on Enrollment has examined, and found correctly enrolled, the following joint resolution:

S. J. R. No. 80—For the relief of the Commissioners of Jefferson county.

IRVINE DUNGAN,	J. R. JOHNSTON,
F. M. CARTER,	A. D. MARSH,
C. R. HARMON,	WM. JESSUP.
DUNCAN DOW.	

Mr. Carson moved to take from the table Substitute for S. B. No. 160. Which was agreed to.

The question being on agreeing to the report of the committee, the same was agreed to, and the bill was ordered to be placed on the calendar for third reading to-morrow.

Mr. Parker moved that H. B. No. 702 be taken from the table.

Which was agreed to.

Said bill was ordered to be placed on the calendar for to-morrow.

Mr. Armstrong submitted the following report:

The standing committee on Claims, to whom was referred H. J. R. No. 90—Authorizing the Governor of the State to give deeds for certain lots—having had the same under consideration, report it back, and recommend its adoption.

J. M. ARMSTRONG,	J. B. WILLIAMS,
G. A. GROVE,	D. D. BEEBE,
J. C. McDONALD,	H. SABINE.
C. S. PARKER,	

The question being on the adoption of said joint resolution, the yeas and nays were taken, and resulted—yeas 20, nays none, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Carlisle, Carson, Fisher, Grove, Irvine, Jackson of Clinton, Jackson of Perry, Johnston, Lord, Marsh, McDonald, Parker, Seitz, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—20.

So said joint resolution was adopted.

Mr. Armstrong submitted the following report :

The standing committee on Claims, to whom was referred H. B. No. 645—To amend section three of an act entitled an act supplementary to an act to provide for the appointment of Commissioners to examine claims growing out of the Morgan raid, and prescribing their duties, (Vol. 61, p. 85; S. & S., 466), passed May 13, 1878, (Vol. 75, p. 528)—having had the same under consideration, report it back without recommendation.

J. M. ARMSTRONG,	H. SABINE,
G. A. GROVE,	C. S. PARKER,
J. C. McDONALD,	J. B. WILLIAMS.
D. D. BEEBE,	

Said bill was ordered to be engrossed and read the third time to-morrow.

On motion of Mr. Steedman, a message was directed to be sent to the House, requesting a duplicate copy of H. B. No. 477, to replace the original, lost by the committee on Public Works and Public Lands.

Which was agreed to.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The Speaker of the House of Representatives has, in the presence of the House, signed the following bills :

Substitute for S. B. No. 55—Mr. Forrest-- To provide for the better regulation of sales on execution and orders of sale.

S. B. No. 265—Mr. Forrest—To amend section seven, chapter one, division four of an act entitled an act to revise and consolidate the laws relating to civil procedure in Courts of Common Pleas and Superior Courts, in District Courts on appeal, and also the laws relating to procedure in error, mandamus and quo warranto, passed May 14, 1878, (Vol. 75, p. 667.)

Attest :

L. A. BRUNNER, *Clerk.*

The President, in presence of the Senate, signed said bills.

On motion of Mr. Steedman, the Senate adjourned.

Attest :

ALLEN O. MYERS, *Clerk.*

FRIDAY, *March* 7, 1879—10 O'CLOCK A.M.

The Senate met pursuant to adjournment.

Prayer by Rev. J. M. Trimble.

The Journal was read and approved.

Mr. Richards presented the remonstrance of A. T. Stewart and 108 other citizens of Jefferson county, against the passage of Dodds' H. B. No. 770, known as the life-insurance bill.

Which was referred to the committee on Insurance.

Mr. Carlisle presented the petition of J. C. Baker and 73 other citizens

of Fairfield county, requesting the passage of H. B. No. 619, providing for local option.

Which was referred to the committee on Sanitary Laws and Regulations.

Mr. Beer presented the memorial of Diamond Lodge, No. 129, Knights of Honor, of Mansfield, Ohio, protesting against the passage of Mr. Dodds' House Bill No. 770, to define life-insurance without the State of Ohio.

Which was referred to the committee on Insurance.

Mr. Forrest presented the petition of Harry Lawrence and 400 other citizens of Franklin county, asking the passage of some bill for the relief of railroad employes.

Which was referred to the committee on Judiciary.

Mr. Owens presented the petition of Edward B. Jones and 43 other citizens of Licking county, praying for a general reduction of salaries of Common Pleas Judges, county and State officers.

Which was referred to the committee on Fees and Salaries.

Bills were read the second time and referred, as follows:

H. B. No. 738—Mr. Parker—For the relief of G. W. Drake.

Committee on the Judiciary.

H. B. No. 839—Mr. Hitchcock—Supplementary to an act to authorize township Trustees of any township in this State to levy a tax for purchasing a hearse and erecting a vault, passed March 14, 1878, (Vol. 75, p. 46.)

Committee on Finance.

H. B. No. 729—Mr. Sturgeon—To provide for the purchase of tents for Ohio National Guards.

Committee on Finance.

Mr. Fisher submitted the following report:

The committee on Revision has examined, and found correctly engrossed, H. B.'s Nos. 718 and 737.

J. C. FISHER,
J. M. CARSON.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has concurred in the passage of the following bill:

S. B. No. 227—Mr. Marsh—To amend section one, of chapter one, and section one, of chapter two of an act entitled an act to amend and revise the statutes relating to taxation, to be known as title thirteen, part one of the act to revise and consolidate the general statutes, (O. L., Vol. 75, p. 436)—with the following amendments, in which the concurrence of the Senate is requested:

Section 1, line 37, after the word "include", insert the words "any surplus or undivided profits held by societies for savings or banks having no capital stock."

Section 2, line 20, insert after word "thereof": "and all surplus or undivided profits held by any society for savings or banks having no capital stock, by the president or principal accounting officer."

Attest:

L. A. BRUNNER, *Clerk.*

The question being on concurring in said House amendments, the yeas and nays were ordered, taken, and resulted—yeas 23, nays none, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beer, Carlisle, Curtiss, Dungan, Fisher, Grove, Howland, Jackson of Clinton, Jackson of Perry, Johnston, Kelley, Krimmel, Marsh, Owens, Parker, Richards, Seitz, Steedman, Stokes, Tyler, Wagener and Williams—23.

So the Senate concurred in said House amendments.

Mr. Fisher submitted the following report :

The committee on Public Printing, to whom was referred the message of the Governor, nominating William J. Elliott, of Hamilton county, to be Supervisor of Public Printing for the term of two years, commencing April 11, 1879—having had the same under consideration, report it back, and recommend that the Senate do advise and consent to said appointment.

D. D. BEEBE,	J. M. ARMSTRONG,
J. C. FISHER,	LINDSEY KELLEY,
JOHN H. BENSON,	J. M. CARSON.
C. F. KRIMMEL,	

The question being on advising and consenting to said appointment, the yeas and nays were taken, and resulted—yeas 20, nays 1, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beer, Carlisle, Carson, Curtiss, Fisher, Grove, Howland, Jackson of Clinton, Jackson of Perry, Johnston, Kelley, Krimmel, Owens, Parker, Sabine, Seitz, Stokes, Tyler and Williams—20.

Mr. Dungan voted in the negative.

So the Senate advised and consented to said appointment.

H. B. No. 647—Mr. Dempcy—For the transfer of certain lots of land, in the township of Newburg, Cuyahoga county, from the control of the Board of Education of the city of Cleveland, to the Board of Education of the township of Newburg—was read the third time.

The question being “Shall the bill pass?” the yeas and nays were taken, and resulted—yeas 22, nays none, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beer, Carlisle, Curtiss, Dungan, Fisher, Grove, Howland, Jackson of Clinton, Jackson of Perry, Johnston, Kelley, Krimmel, Marsh, Owens, Parker, Seitz, Steedman, Stokes, Tyler, Wagener and Williams—22.

So the bill passed. The title was agreed to.

Mr. Marsh asked leave to have his name recorded on the confirmation of William J. Elliott, as Supervisor of Public Printing; which was granted, and his name being called, he voted “aye.”

S B. No. 237—Mr. Beer—To amend section fourteen, of chapter three, of division four of the act relating to municipal corporations, (75, O. L., 308)—was read the third time.

The question being “Shall the bill pass?” the yeas and nays were taken, and resulted—yeas 22, nays none, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beer, Carlisle, Curtiss, Fisher, Grove, Howland, Irvine, Jackson of Clinton, Johnston, Kelley, Krimmel, Marsh, Owens, Parker, Richards, Seitz, Steedman, Stokes, Tyler, Williams and Wilson—22.

So the bill passed. The title was agreed to.

S. B. No. 278—Mr. Richards—Requiring an examination of articles of incorporation by the Attorney-general—was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 18, nays 10, as follows :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Carson, Dungan, Fisher, Forrest, Irvine, Jackson of Perry, Johnston, Kelley, Krimmel, Lord, Parker, Richards, Sabine, Steedman, Tyler and Wagener—18.

Those who voted in the negative were—

Messrs. Beer, Curtiss, Grove, Howland, Marsh, Owens, Seitz, Stokes, Williams and Wilson—10.

So the bill passed. The title was agreed to.

S. B. No. 294—Mr. Steedman—To regulate the receiving, transportation and delivery of grain by railroad corporations, and defining the duties of such corporations with respect thereto—was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 27, nays none, as follow :

Those who voted in the affirmative were -

Messrs. Armstrong, Beebe, Beer, Carlisle, Carson, Dungan, Fisher, Grove, Howland, Irvine, Jackson of Clinton, Jackson of Perry, Kelley, Krimmel, Lord, Marsh, Owens, Parker, Richards, Sabine, Seitz, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—27.

So the bill passed. The title was agreed to.

Substitute for S. B. No. 160—Mr. Carson—To regulate charges on palace and sleeping-cars—was read the third time.

Mr. Carson moved to refer the bill to a select committee of one, with instructions to amend as follows :

Section 7, line 1, after the word "complaint", add the words "properly verified."

Which was agreed to, and Mr. Carson was appointed such committee, and reported the bill back amended as instructed.

Leave of absence was asked and obtained for Messrs. Joy, Sherrick, McDonald and Benson until Monday next.

On demand of Mr. Tyler, a call of the Senate was had.

Messrs. Beebe, Beer, Carlisle, Jackson of Perry and Krimmel were absent without leave.

On motion of Mr. Marsh, further proceedings under the call were dispensed with.

Mr. Lord moved that Substitute for S. B. No. 160 be laid on the table.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 8, nays 16, as follow :

Those who voted in the affirmative were—

Messrs. Curtiss, Howland, Johnston, Kelley, Lord, Marsh, Richards and Wilson—8.

Those who voted in the negative were—

Messrs. Armstrong, Carson, Dungan, Fisher, Forrest, Irvine, Jackson of Clinton, Owens, Parker, Sabine, Seitz, Steedman, Stokes, Tyler, Wagener and Williams—16.

So the motion was disagreed to.

Mr. Carson moved that the further consideration of said bill be postponed until Tuesday next.

On which motion the yeas and nays were taken, and resulted—yeas 26, nays none, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Carson, Curtiss, Dungan, Fisher, Forrest, Howland, Irvine, Jackson of Clinton, Jackson of Perry, Johnston, Kelley, Lord, Owens, Parker, Richards, Sabine, Seitz, Steedman, Stokes, Tyler, Wagener, Williams and Wilson 26.

So the motion was agreed to.

On motion of Mr. Tyler, the Senate took a recess.

THREE O'CLOCK P.M.

H. B. No. 645—Mr. Crosson—To amend section three of an act entitled an act supplementary to an act to provide for the appointment of commissioners to examine claims growing out of the Morgan raid, and prescribing their duties, (Vol. 61, p. 85; S. & S., 466), passed May 13, 1878, (Vol. 75, p. 528)—was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 11, nays 8, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Benson, Carlisle, Carson, Jackson of Clinton, Marsh, Steedman, Stokes, Tyler and Williams—11.

Those who voted in the negative were—

Messrs. Beer, Fisher, Irvine, Johnston, Kelley, Lord, Seitz and Wilson—8.

So the bill, having failed to receive a constitutional majority, was lost.

H. B. No. 702—Mr. Williamson—To authorize the town Council of the incorporated village of New London, Huron county, Ohio, to levy a tax for the purpose of purchasing a town-clock—was then considered.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 21, nays 4, as follows :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Carson, Curtiss, Dungan, Grove, Howland, Irvine, Jackson of Clinton, Johnston, Kelley, Marsh, Parker, Richards, Sabine, Stokes, Tyler and Williams—21.

Those who voted in the negative were—

Messrs. Fisher, Krimmel, Lord and Wilson—4.

So the bill passed. The title was agreed to.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The Speaker of the House of Representatives has, in the presence of the House, signed the following bill and joint resolution :

H. B. No. 616—To amend section six, chapter four, division seven of an act entitled an act to amend, revise and consolidate the statutes relating to municipal corporations, to be known as title twelve, part one of the act to revise and consolidate the general statutes of Ohio.

S. J. R. No. 80—Mr. Richards—For the relief of the Commissioners of Jefferson county.

Attest :

L. A. BRUNNER, *Clerk.*

The President, in presence of the Senate, signed said bill and joint resolution.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bills, in which the concurrence of the Senate is requested:

H. B. No. 745—Mr. Brown of Putnam—To authorize the Commissioners of the counties of Putnam, Wood and Henry to levy a tax to pay certain fees therein named.

H. B. No. 778—Mr. Sawyer—For the relief of the official sureties of Lewis Myers, late Treasurer of Auglaize county, State of Ohio.

H. B. No. 796—Mr. Bohl—To authorize the Board of Education of Waterford township, Washington county, Ohio, to compromise with the defaulting Treasurer of said township.

H. B. No. 731—Mr. Cowgill—To authorize the Board of Education of Concord township, Champaign county, to levy a tax and issue bonds in anticipation of the collection thereof, for the purpose of purchasing a site and erecting a school-house thereon, in joint sub-district No. 1, of Concord and Mad River townships.

Attest:

L. A. BRUNNER, *Clerk*.

Said bills were read the first time.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has adopted the following joint resolution, in which the concurrence of the Senate is requested:

H. J. R. No. 80—Mr. Sawyer—As to a survey of land for ditch between Mercer County Reservoir and Cranberry Prairie.

Attest:

L. A. BRUNNER, *Clerk*.

On motion of Mr. Steedman, said joint resolution was referred to the committee on Public Works and Public Lands.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives accedes to the request of the Senate, and herewith returns a duplicate copy of—

H. B. No. 477—Mr. Hume—To authorize the sale of certain lands therein named.

Attest:

L. A. BRUNNER, *Clerk*.

On motion, said bill was referred to the committee on Public Works and Public Lands.

The following bills were introduced, and read the first time:

S. B. No. 309—Mr. Krimmel—For the payment of a claim of S. N. Field.

S. B. No. 310—Mr. Sabine—For the relief of the heirs of R. W. Davis and J. R. Cahill, of York township, Union county, Ohio.

S. B. No. 311—Mr. Owens—To amend an act entitled an act to prevent the practice of resorting to distant courts to oppress citizens of Ohio, and deprive them of their rights under the statutes of Ohio, passed May 11, 1878, (O. L., Vol. 75, p. 517.)

S. B. No. 312—Mr. Seitz—To protect the maker or indorser of a written obligation for the payment of money in certain cases.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The House of Representatives has concurred in Senate amendments to—

H. B. No. 718—Mr. Alexander—Making appropriations for deficiencies out of the asylum fund.

Attest:

L. A. BRUNNER, *Clerk.*

Mr. Carlisle moved that the vote whereby H. B. No. 645 was lost be reconsidered.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 13, nays 12, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Carlisle, Carson, Dungan, Jackson of Clinton, Jackson of Perry, Krimmel, Owens, Richards, Stokes, Tyler and Williams—13.

Those who voted in the negative were—

Messrs. Beer, Benson, Curtiss, Fisher, Howland, Irvine, Johnston, Kelley, Marsh, Sabine, Seitz and Wilson—12.

So the motion was agreed to.

Mr. Seitz moved that said H. B. No. 645 be laid on the table.

Which was agreed to.

Mr. Carlisle moved that a message be sent to the House requesting a duplicate copy of H. B. No. 458, to replace the original lost by the committee on Roads and Highways.

Which was agreed to.

Mr. Johnston moved to take from the table S. J. R. No. 81.

Which was agreed to.

The question being on the adoption of said joint resolution, the yeas and nays were taken, and resulted—yeas 20, nays 1, as follow:

Those who voted in the affirmative were—

Messrs. Beebe, Beer, Benson, Carsen, Curtiss, Fisher, Grove, Howland, Irvine, Jackson of Clinton, Jackson of Perry, Johnston, Kelley, Marsh, Owens, Richards, Sabine, Tyler, Williams and Wilson—20.

Mr. Dungan voted in the negative.

So the joint resolution was adopted.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The following bills have been introduced in the House of Representatives, and read the first time:

H. B. No. 879—Mr. Cowgill—To authorize the Commissioners of Champaign county to build a bridge across the Pittsburgh, Cincinnati & St. Louis, and the Atlantic & Great Western Rail roads, connecting at Walnut and Laurel Oak streets in the city of Urbana, in said county.

H. B. No. 880—Mr. Leggett—To amend section fourteen, chapter nine of an act entitled an act to revise and consolidate the laws relating to procedure in the Probate Court, (Vol. 75, p. 960.)

H. B. No. 881 - Mr. Sawyer—Making an appropriation to erect a certain building at the Soldiers' and Sailors' Orphans' Home.

Attest:

L. A. BRUNNER, *Clerk*.

On motion of Mr. Curtiss, the Senate adjourned.

Attest:

ALLEN O. MYERS, *Clerk*.

SATURDAY, *March 8*, 1879—10 o'clock A.M.

The Senate met pursuant to adjournment.

Prayer by Rev. J. F. Hamilton.

The Journal was read and approved.

Mr. Beebe presented the remonstrance of D. W. Hill and 145 other citizens of Summit county, against the passage of Mr. Dodds' H. B. No. 770.

Which was referred to the committee on Insurance.

Bills were read the second time and referred, as follows:

H. B. No. 731—Mr. Cowgill—To authorize the Board of Education of Concord township, Champaign county, to levy a tax, and issue bonds in anticipation of the collection thereof, for the purpose of purchasing a site and erecting a school-house thereon, in joint sub-district No. one, of Concord and Mad River townships.

Committee on Common Schools and School Lands.

H. B. No. 745—Mr. Brown of Putnam—To authorize the Commissioners of the counties of Putnam, Wood and Henry to levy a tax to pay certain fees therein named.

Committee on Finance.

H. B. No. 778—Mr. Sawyer—For the relief of the official sureties of Lewis Myers, late Treasurer of Auglaize county, State of Ohio.

Committee on Finance.

H. B. No. 796—Mr. Bohl—To authorize the Board of Education of Waterford township, Washington county, Ohio, to compromise with the defaulting Treasurer of said township.

Committee on Finance.

S. B. No. 309—Mr. Krimmel—For the payment of claim of S. N. Field.

Committee on Claims.

S. B. No. 310—Mr. Sabine—For the relief of the heirs of R. W. Davis and J. R. Cahill, of York township, Union county, Ohio.

Committee on Finance.

S. B. No. 311—Mr. Owens—To amend an act entitled an act to prevent the practice of resorting to distant courts to oppress the citizens of Ohio, and deprive them of their rights under the statutes of Ohio, passed May 11, 1878, (O. L., Vol. 75, p. 517).

Committee on the Judiciary.

S. B. No. 312—Mr. Seitz—To protect the maker or endorser of a written obligation for the payment of money in certain cases.

Committee on the Judiciary.

Mr. Richards submitted the following report:

The standing committee on Municipal Corporations, to whom was referred S. B. No. 287—To authorize the city of Akron to receive moneys in trust for the Akron Rural Cemetery Association—having had the

same under consideration, report it back, with the following amendments, and recommend its passage when so amended:

After the word "association," in line 6, insert the following: "in the aggregate not exceeding fifty thousand dollars (\$50,000)."

In line 7, after the word "city," insert "by ordinance."

In line 8, after the word "of," insert "not exceeding."

R. G. RICHARDS,	JAMES B. STEEDMAN,
G. A. GROVE,	LYMAN J. JACKSON.

Said amendments were agreed to, and the bill was ordered to be engrossed and read the third time on Tuesday next.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The Speaker of the House of Representatives has, in the presence of the House, signed the following joint resolution:

H. J. R. No. 90 - Mr. Achauer—Authorizing the Governor to give deed for certain lots.

Attest: L. A. BRUNNER, *Clerk.*

The President *pro tem.*, in presence of the Senate, signed said joint resolution.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bills, in which the concurrence of the Senate is requested:

H. B. No. 685 - Mr. Wasson To authorize the use of a portion of the school fund of sub-district No. 5, of Walnut township, Gallia county, Ohio, for the purpose of having a German school taught in said sub-district.

H. B. No. 763—Mr. Levering—To amend section one of an act to authorize the creation of a special school district in Canaan township, Morrow county, (Vol. 75, pp. 1161-1162, O. L.), passed and took effect May 13, 1878.

H. B. No. 773—Mr. Quinby—To authorize the village Council of the incorporated village of Clarksville, Clinton county, Ohio to levy a tax and issue bonds to raise money to build a Mayor's office and corporation-prison.

H. B. No. 705—Mr. Dawson—To authorize the Commissioners of certain counties to locate and construct turnpike roads.

Attest: L. A. BRUNNER, *Clerk.*

Said bills were read the first time.

Mr. Jackson of Perry submitted the following report:

The standing committee on Municipal Corporations, to whom was referred S. B. No. 296—Relative to the alteration of town plats of lots not within municipal corporations—having had the same under consideration, report it back, and recommend its passage.

LYMAN J. JACKSON,	JAS. B. STEEDMAN,
R. G. RICHARDS,	G. W. WILSON.
G. A. GROVE,	

Said bill was ordered to be engrossed and read the third time on Tuesday next.

The President *pro. tem.* presented the remonstrance of the Protective League of Ohio, against the passage of local option laws.

Which was referred to the committee on Sanitary Laws and Regulations.

Mr. Carlisle offered the following joint resolution :

S. J. R. No. 83: *Be it resolved by the General Assembly of the State of Ohio,* That in view of the recent and frequent attempts in this city to destroy property by incendiary fires, and the exposed and unprotected condition of our State Arsenal, that the Adjutant-general of Ohio is hereby authorized and instructed to employ a guard or guards to exercise such watch over said building and grounds as will preserve it from destruction ; and the Finance committees are hereby instructed to provide in the general appropriation for the pay of such guards so employed.

Mr. Seitz moved that said joint resolution be referred to the committee on Public Buildings.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 9, nays 12, as follow :

Those who voted in the affirmative were—

Messrs. Beer, Benson, Curtiss, Dungan, Fisher, Grove, Irvine, Krimmel and Seitz—9.

Those who voted in the negative were—

Messrs. Armstrong, Beebe, Carlisle, Howland, Jackson of Perry, Owens, Parker, Richards, Steedman, Wagener, Williams and Wilson—12.

So the motion was disagreed to.

The question being on the adoption of the joint resolution, the yeas and nays were ordered, taken, and resulted yeas 14, nays 7, as follow :

Those who voted in the affirmative were

Messrs. Armstrong, Beebe, Benson, Carlisle, Curtiss, Howland, Jackson of Perry, Owens, Parker, Richards, Steedman, Wagener, Williams and Wilson—14.

Those who voted in the negative were—

Messrs. Beer, Dungan, Fisher, Grove, Irvine, Krimmel and Seitz—7.

So the joint resolution, having failed to receive a constitutional majority, was lost.

Mr. Fisher moved that the vote whereby S. J. R. No. 83 was lost be reconsidered.

Which was agreed to.

On motion of Mr. Fisher, said joint resolution was laid on the table.

Mr. Steedman moved that the Senate take a recess.

Which was disagreed to.

On motion of Mr. Beer, the Senate adjourned.

Attest :

ALLEN O. MYERS, *Clerk.*

MONDAY, March 10, 1879—10 O'CLOCK A.M.

The Senate met pursuant to adjournment.

Prayer by Rev. A. C. Hirst.

The Journal was read and approved.

Bills were read the second time and referred, as follows :

H. B. No. 685—Mr. Wasson—To authorize the use of a portion of the

school fund of sub-district No. 5, of Walnut township, Gallia county, Ohio, for the purpose of having a German school taught in said sub-district.

Committee on Common Schools and School Lands.

H. B. No. 705—Mr. Dawson—To authorize the Commissioners of Highland county to locate and construct turnpike roads.

Committee on Roads and Highways.

H. B. No. 763—Mr. Levering—To amend section one of an act to authorize the creation of a special school district in Canaan township, Morrow county, (Vol. 75, pp. 1161—1162, O. L.,) passed and took effect May 13, 1878.

Committee on Common Schools and School Lands.

H. B. No. 773—Mr. Quinby—To authorize the village Council of the incorporated village of Clarksville, Clinton county, Ohio, to levy a tax and issue bonds to raise momey to build a Mayor's office and corporation prison.

Committee on Municipal Corporations.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bills, in which the concurrence of the Senate is requested:

H. B. No. 821 Mr. Crosson—Authorizing the Council of the village of Milford to transfer certain funds.

H. B. No. 802—Mr. Herrick—To authorize the Board of Education of Union School District of the incorporated village of Lorain, in Lorain county, Ohio, to levy additional school tax in said school district.

H. B. No. 822—Mr. McCoy of Lawrence—To authorize the Board of Education of Perry township, Lawrence county, to levy a tax to pay the indebtedness of said township incurred in the erection of school-houses.

H. B. No. 827—Mr. Luccock—For the relief of Landon Heskitt.

H. B. No. 728—Mr. Foster—To amend sections two and three of an act to authorize boards of education in certain cities to appoint library committees, and levy a tax for school purposes, passed April 8, 1878, (Vol. 75, p. 101.)

H. B. No. 843—Mr. Harmon—To authorize the Trustees of Hiram township, Portage county, to build a vault and provide means for the payment of the same.

H. B. No. 804—Mr. Fenton—To authorize the village of Delta, in Fulton county, Ohio, to transfer certain funds.

H. B. No. 786—Mr. Loder—To extend the time of payment of school lands in section number sixteen, in Green township, Hamilton county, Ohio.

Attest:

L. A. BRUNNER, *Clerk.*

Said bills were read the first time.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The following bills have been introduced in the House of Representatives, and read the first time:

H. B. No. 882—Mr. Booth—To provide for the recording of destroyed and spoliated records.

H. B. No. 883—Mr. Washburn—To amend the act of May 5, 1877, entitled an act to amend, revise and consolidate the statutes relating to crimes and offenses, and to repeal certain acts therein named, to be known as title one, crimes and offenses, part four of the act to revise and consolidate the general statutes of Ohio, (Vol. 74, p. 240.)

H. B. No. 884—Mr. Danford—To provide for the removal of the county seat of Belmont county from the village of St. Clairsville to the city of Bellaire, in said county, and to authorize the County Commissioners to erect a Court-house and county buildings in case of such removal.

H. B. No. 885—Mr. Van Cleaf—To amend the act of May 11, 1878, entitled an act to amend and revise the statutes relating to taxation, to be known as title thirteen, part one of the act to revise and consolidate the general statutes, (Vol. 75, p. 436.)

H. B. No. 886—Mr. Morrey—To amend the act of May 3, 1852, entitled an act to regulate the election of State and county officers, (S. & C., 532.)

H. B. No. 887—Mr. Sextro—To amend section one, sub-division one, chapter five, division five of an act entitled an act to amend, revise and consolidate the statutes relating to municipal corporations, to be known as title twelve, part one of the act to revise and consolidate the general statutes, (O. L., Vol. 75, p. 358.)

Attest:

L. A. BRUNNER, *Clerk.*

Mr. Forrest, on leave, introduced the following bill, which was read the first time:

S. B. No. 313 To amend the act of May 11, 1878, entitled an act to revise and consolidate the laws relating to procedure before Justices of the Peace and Mayors, (Vol. 75, p. 971.)

Mr. Forrest offered the following joint resolution:

S. J. R. No. 84—Relative to printing the laws of the session of 1879:

Be it resolved by the General Assembly of the State of Ohio, That the Secretary of State be, and he is hereby directed and instructed, not to print any of the laws of this session until the General Assembly shall have given further instructions in relation to the form and manner of printing the same.

Which was referred to the committee on Public Printing.

On motion of Mr. Beer, the Senate took a recess.

THREE O'CLOCK P.M.

Mr. Williams submitted the following report:

The standing committee on Sanitary Laws and Regulations, to whom was referred S. B. No. 307—To establish a quarantine in certain cities, and for other purposes—having had the same under consideration, report it back, with the following amendment, and recommend its passage when so amended:

In section 1, line 4, between the words "limits" and "the," insert the following: "and within any other town then."

J. B. WILLIAMS,
J. M. ARMSTRONG,
D. D. BEEBE,

W. H. STOKES,
G. W. WILSON.

Said amendment was agreed to, and the bill was ordered to be engrossed and read the third time to-morrow.

Mr. Forrest moved that H. B. No. 715, with amendments, be taken from the table.

Which was agreed to.

The question being on agreeing to the amendments as reported from the Judiciary committee—

Amendments Nos. 1, 2, 3 and 4 were agreed to.

Mr. Howland moved to substitute for amendment No. 5, the following:

After the word "submitted," strike out the word "but", and insert: "if any claim be disputed and is not settled or submitted to arbitration". In line 4, of same section, on page 38, strike out the words "each case", and insert "such case". In line 5, same section, page 38, strike out the words "thirty days," and insert the words "forty-five days after notice that his claim has been disputed."

Which was agreed to.

Said substitute for amendment No. 5 was then agreed to.

Amendment No. 6 was agreed to.

The report of the committee was then agreed to.

Mr. Sherrick moved to amend said bill (H. B. No. 715) as follows:

Chapter 3, section 5, page 25, strike out "as to the excess of interest above the rate allowed by law at the time of making the contract."

Add after the word "balance," in line 6: "of the principal."

Strike out in line 7: "excess of."

On which motion the yeas and nays were demanded, taken, and resulted—yeas 10, nays 14, as follow:

Those who voted in the affirmative were—

Messrs. Benson, Curtiss, Dungan, Fisher, Irvine, Jackson of Perry, McDonald, Seitz, Sherrick and Stokes—10.

Those who voted in the negative were—

Messrs. Armstrong, Beer, Carlisle, Carson, Forrest, Howland, Johnston, Kelley, Owens, Parker, Richards, Sabine, Wagener and Wilson—14.

So the motion was disagreed to.

Mr. Dungan moved to amend said bill as follows: Strike out all of section 5, chapter 3, title 1, page 25.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 6, nays 19, as follow:

Those who voted in the affirmative were—

Messrs. Curtiss, Dungan, Irvine, Owens, Saltzgaber and Stokes—6.

Those who voted in the negative were—

Messrs. Armstrong, Beer, Benson, Carlisle, Carson, Fisher, Forrest, Howland, Jackson of Perry, Johnston, Kelley, McDonald, Parker, Richards, Seitz, Sherrick, Wagener, Williams and Wilson—19.

So the motion was disagreed to.

Mr. Wilson moved to amend said bill as follows:

1. Chapter 4, section 10, page 30, in line 5, between the words "chapter" and "provided", insert: "or for the construction or repair of any turnpike, road improvement, or other public improvement."

2. In line 6, between the words "owner" and "and", insert: "or any board or officer."

3. In line 10, after the word "owner," insert: "board or officer or the authorized clerk or agent thereof."

4. In line 11, strike out "or his authorized agent."

Said amendments were agreed to.

Mr. Wilson moved to further amend said bill as follows:

Chapter 4, section 11, pages 31 and 32, in lines 1 and 2, strike out the words "his authorized agent or attorney," and insert: "board or officer, or the authorized clerk, agent or attorney thereof."

Chapter 4, section 12, in lines 2 and 3, strike out "his agent or attorney," and insert: "board, officer or the authorized clerk, agent or attorney thereof."

In line 8, strike out "his agent or attorney," and insert: "board, officer or the clerk, agent or attorney thereof."

Chapter 4, section 15, in line 7, strike out "or his authorized agent," and insert: "board, officer, or authorized clerk, agent or attorney thereof."

Said amendments were agreed to.

Mr. Fisher moved to amend said bill as follows: title 1, chapter 3, section 1, page 24, strike out "eight", and insert "seven."

On which motion the yeas and nays were demanded, taken, and resulted—yeas 15, nays 10, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Beer, Benson, Carson, Curtiss, Dungan, Fisher, Irvine, Jackson of Perry, McDonald, Richards, Seitz, Sherrick, Stokes and Williams—15.

Those who voted in the negative were—

Messrs. Carlisle, Forrest, Howland, Johnston, Kelley, Owens, Parker, Sabine, Wagener and Wilson—10.

So the motion was agreed to.

Said bill was then ordered to be engrossed and read the third time tomorrow.

Mr. Richards submitted the following report:

The joint committee on Enrollment has examined, and found correctly enrolled, the following bill:

H. B. No. 718—Making appropriations for deficiencies out of the asylum fund.

R. G. RICHARDS,	WM. JESSUP,
J. R. JOHNSTON,	C. R. HARMON,
IRVINE DUNGAN,	F. M. CARTER,
J. W. WASHBURN,	E. S. PERKINS.

Mr. Forrest submitted the following report:

The standing committee on Judiciary, to whom was referred H. B. No. 735—Providing for the relief of street railroad companies in certain cases—having had the same under consideration, report it back, and recommend its passage.

W. T. FORREST,	D. WAGENER,
IRVINE DUNGAN,	LYMAN J. JACKSON,
G. M. SALTZGABER,	W. P. HOWLAND.
J. R. JOHNSTON,	

Said bill was ordered to be engrossed and read the third time tomorrow.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The Speaker of the House of Representatives has, in the presence of the House, signed the following bill:

H. B. No. 718—Mr. Alexander—Making appropriations for deficiencies out of the asylum fund.

Attest :

L. A. BRUNNER, *Clerk*.

The President *pro tem.*, in presence of the Senate, signed said bill.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The House of Representatives accedes to the request of the Senate, and herewith returns a duplicate copy of—

H. B. No. 458—Mr. Hayman—To authorize the Commissioners of Scioto county to purchas toll-roads and levy tax to pay for the same.

Attest :

L. A. BRUNNER, *Clerk*.

Said bill was referred to the committee on Roads and Highways.

Mr. Jackson of Perry submitted the following report :

The standing committee on Judiciary, to whom was referred S. B. No. 196—To amend an act entitled an act to abolish public executions, passed March 12, 1844—having had the same under consideration, report it back, with the following amendments, and recommend its passage when so amended:

After section 4, add another section, as follows :

SEC. 5. The following persons and none other, may be present within the building and witness the execution : the warden and his deputy and assistants and his appointee for the execution, the county officers of the county in which the crime was committed, the attorneys-at-law who prosecuted and defended at the trial, not more than two clergyman, to be selected by the prisoner, three other persons, to be designated by the prisoner, two physicians, two persons who shall have been witnesses for the State upon the trial, and two relatives of the deceased murdered party, to be designated by the warden or his deputy. And during the time of the execution no other visitors shall be allowed within the penitentiary.

Change original section 5 to section 6, section 6 to section 7, and section 7 to section 8.

LYMAN J. JACKSON,	IRVINE DUNGAN,
W. T. FORREST,	W. P. HOWLAND,
J. R. JOHNSTON,	D. WAGENER.

Said amendments were agreed to, and the bill was ordered to be engrossed and read the third time to-morrow.

Mr. Richards submitted the following report :

The standing committee on Municipal Corporations, to whom was referred S. B. No. 273—To provide for indexing the land records of Licking county having had the same under consideration, report it back, with the following amendments, and recommend its passage when so amended :

In line 2, section 1, strike out the word "shall", and insert instead : "are authorized to."

In line 3, section 1, strike out the word "all"; and in same line and section, after the second word "county", add : "from 1808 to 1864."

In line 1, section 2, strike out all preceding the word "make", and insert intead : "said commissioners are authorized to contract with said recorder to."

In line 1, section 4, strike out the word "shall", and insert instead: "are authorized to."

R. G. RICHARDS, G. M. SALTZGABER,
G. W. WILSON, L. J. JACKSON.

Said amendments were agreed to, and the bill was ordered to be engrossed and read the third time to-morrow.

Mr. Fisher submitted the following report:

The standing committee on Public Printing, to whom was referred S. J. R. No. 84—Relative to printing the laws of the session of 1879—having had the same under consideration, report it back, and recommend its adoption.

J. C. FISHER, J. M. ARMSTRONG,
LINDSEY KELLEY, JOHN H. BENSON.

The question being on the adoption of said joint resolution, the yeas and nays were ordered, taken, and resulted—yeas 19, nays 1, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Beer, Benson, Carlisle, Curtiss, Dungan, Fisher, Forrest, Kelley, Krimmel, McDonald, Owens, Parker, Saltzgaber, Seitz, Sherrick, Stokes, Wagener and Williams—19.

Mr. Johnston voted in the negative.

So said joint resolution was adopted.

Mr. Dungan submitted the following report:

The joint committee on Enrollment has examined, and found correctly enrolled, the following bills:

H. B. No. 702—To authorize the Council of the incorporated village of New London, Huron county, Ohio, to levy a tax for the purpose of purchasing a town-clock.

H. B. No. 647—For the transfer of certain lots of land in the township of Newburg, Cuyahoga county, from the control of Board of Education of the city of Cleveland, to the Board of Education of the township of Newburg.

IRVINE DUNGAN, C. R. HARMON,
J. W. WASHBURN, E. S. PERKINS,
WM. JESSUP, J. R. JOHNSTON,
F. M. CARTER, R. G. RICHARDS.

Mr. Dungan submitted the following report:

The standing committee on Judiciary, to whom was referred S. B. No. 263—To amend an act entitled an act to amend section five of an act entitled an act making provisions for the incorporation of county associations, passed February 24, 1848, amended and passed March 29, 1875, (O. L., Vol. 72, p. 113)—having had the same under consideration, report it back, and recommend its passage, inasmuch as it relates to corporations not organized for business or profit.

W. T. FORREST, LYMAN J. JACKSON,
W. P. HOWLAND, J. R. JOHNSTON.
IRVINE DUNGAN,

Said bill was ordered to be engrossed and read the third time to-morrow.

Mr. Richards, on leave, introduced the following bill, which was read the first time:

S. B. No. 314 - To amend section five, chapter three of an act entitled an act to amend and revise the statutes relating to taxation, to be known as title thirteen, part one of the act to revise and consolidate the general statutes, (75 O. L., 461.)

Mr. Forrest submitted the following report :

The standing committee on Judiciary, to whom was referred S. B. No. 288—For the appointment of a deputy commissioner of costs and fees, and to provide for the collection of costs and fees due in certain counties - having had the same under consideration, report it back, with the following substitute, and recommend the adoption of the substitute :

A bill to provide for the appointment of a deputy commissioner of costs and fees, and prescribing his duties :

SEC. 1. *Be it enacted by the General Assembly of the State of Ohio*, That in counties in this State having a fee commissioner, said commissioner shall appoint a deputy commissioner, whose duty shall be to collect all costs and fees payable to the fee fund of such county.

SEC. 2. That all costs and fees due the fee fund of such county, which may now be due and have remained unpaid for the space of one year, shall be immediately transferred to the deputy commissioner of costs and fees for collection ; said deputy shall immediately proceed to collect the same, and execution shall issue on his præcipe, to enforce payment thereof ; that said deputy commissioner shall pay over all moneys so collected by him, quarterly, on the first Monday in May, August, November and February in each year, to the officer for whose office said collections are made, taking his receipt for the same, which receipt shall be filed with the fee commissioner ; and said officer, on the receipt of said costs and fees, shall make the proper entries of payment in the books of his office.

SEC. 3. It is hereby made the duty of the Court of Common Pleas in such counties, to fix the compensation of the deputy commissioner, and the auditor of such counties is hereby directed to draw his warrant on the county treasurer, payable out of the fund collected and paid in by such deputy, for his compensation so fixed as aforesaid.

SEC. 4. Said deputy commissioner, before entering upon the duties of his office, shall take an oath of office and give an undertaking, with security, to be approved by the Court of Common Pleas, in the sum of \$5,000, conditioned for the faithful discharge of his duties as such deputy commissioner, and that he will pay over all moneys collected by him as provided by this act.

SEC. 5. This act shall take effect and be in force from and after its passage.

W. T. FORREST,	IRVINE DUNGAN,
L. J. JACKSON,	G. M. SALTZGABER.

Said substitute was agreed to, and the bill was ordered to be engrossed and read the third time to-morrow.

Mr. Beer submitted the following report :

The standing committee on Common Schools and School Lands, to whom was referred H. B. No. 685—To authorize the use of a portion of the school fund of sub-district No. 5, of Walnut township, Gallia county, Ohio, for the purpose of having a German school taught in said sub-district—having had the same under consideration, report it back, and recommend its passage.

D. WAGENER,	C. F. KRIMMEL,
THOS. M. BEER,	G. A. GROVE.

Said bill was ordered to be engrossed and read the third time to-morrow.

Mr. Richards, on leave, introduced the following bill, which was read the first time :

S. B. No. 315—To authorize the County Commissioners of Jefferson county to transfer certain funds therein named.

On motion of Mr. Benson, the Senate adjourned.

Attest:

ALLEN O. MYERS, *Clerk*.

TUESDAY, *March* 11, 1879—10 o'clock A.M.

The Senate met pursuant to adjournment.

Prayer by Rev. A. C. Hirst.

The Journal was read and approved.

The President laid before the Senate a communication from the Board of Directors of Longview Asylum, requesting a full and complete investigation into charges made against said institution.

On motion of Mr. Curtiss, said communication was referred to the committee on Benevolent Institutions.

Mr. Curtiss presented the remonstrance of 48 citizens of Olmsted, Cuyahoga county, against the passage of Mr. Foster's Infirmary Bill, and ask that if the bill passes, said township be excluded from the territory to be taxed for such purpose.

Which was referred to the committee on Finance.

Mr. Curtiss presented the remonstrance of L. H. Johnson and 73 other citizens of Dover, Cuyahoga county, against the passage of Fosters Infirmary Bill.

Which was referred to the committee on Finance.

Mr. Forrest presented the petition of L. Corcoran and 1500 other citizens of Hamilton county, for relief from the attachment law.

Which was referred to the committee on Judiciary.

Mr. Forrest presented the petition of Wm. Rees and 40 other citizens of Franklin county, for relief from the attachment law.

Which was referred to the committee on Judiciary.

Mr. Forrest presented the petition of L. O. Gassen and 567 other citizens of Cuyahoga county, for relief from the attachment law.

Which was referred to the committee on Judiciary.

Mr. Forrest presented the petition of J. T. Sanborn and 161 other citizens of Norwalk, Huron county, for relief from the attachment law.

Which was referred to the committee on Judiciary.

Mr. Forrest presented the petition of Albert A. Andrews and 566 other citizens of Lucas county, for relief from the attachment law.

Which was referred to the committee on Judiciary.

Mr. Forrest presented the petition of J. D. Coffey and 400 other citizens of Madison, Union and Champaign counties, for relief from the attachment law.

Which was referred to the committee on Judiciary.

Mr. Forrest presented the petition of James Wilson and 364 other citizens, employed by the Cincinnati and Muskingum Valley Railroad, for relief from the attachment law.

Which was referred to the committee on Judiciary.

Bills were read the second time and referred, as follows:

H. B. No. 843—Mr. Harmon—To authorize the Trustees of Hiram township, Portage county, to build a vault and provide means for the payment of the same.

Committee on Municipal Corporations.

H. B. No. 804—Mr. Fenton—To authorize the village of Delta, in Fulton county, Ohio, to transfer certain funds.

Committee on Municipal Corporations.

H. B. No. 821—Mr. Crosson—Authorizing the Council of the village of Milford to transfer certain funds.

Committee on Municipal Corporations.

H. B. No. 802—Mr. Herriek—To authorize the Board of Education of Union School District of the incorporated village of Lorain, in Lorain county, Ohio, to levy additional school tax in said school district.

Committee on Common Schools and School Lands.

H. B. No. 822—Mr. McCoy of Lawrence—To authorize the Board of Education of Perry township, Lawrence county, to levy a tax to pay the indebtedness of said township incurred in the erection of school-houses.

Committee on Finance.

H. B. No. 827—Mr. Luccock—For the relief of Landon Heskitt.

Committee on Finance.

H. B. No. 786—Mr. Loder—To extend the time for payment of school lands in section number sixteen, in Green township, Hamilton county, Ohio.

Committee on Finance.

H. B. No. 728—Mr. Foster—To amend sections two and three of an act to authorize boards of education in certain cities to appoint library committees, and levy a tax for school purposes, passed April 8, 1878, (Vol. 75, p. 101).

Committee on Finance.

S. B. No. 313—Mr. Forrest—To amend the act of May 11, 1878, entitled an act to revise and consolidate the laws relating to procedure before Justices of the Peace, and Mayors, (Vol. 75, O. L., p. 971).

Committee on the Judiciary.

S. B. No. 315—Mr. Richards—To authorize the County Commissioners of Jefferson county to transfer certain funds therein named.

Committee on Municipal Corporations.

H. B. No. 735—Mr. Klimper—Providing for the relief of street railroad companies in certain cases—was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 30, nays 1, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Carson, Curtiss, Dungan, Fisher, Forrest, Grove, Howland, Irvine, Jackson of Clinton, Jackson of Perry, Johnston, Joy, Kelley, Krimmel, McDonald, Owens, Richards, Saltzgaber, Seitz, Sherriek, Stokes, Tyler, Wagener, Williams and Wilson—30.

Mr. Steedman voted in the negative.

So the bill passed. The title was agreed to.

Mr. Richards submitted the following report:

The joint committee on Enrollment has examined, and found correctly enrolled, the following bill:

S. B. No. 227—To amend section one, of chapter one, and section one, of chapter two of an act entitled an act to amend and revise the statutes relating to taxation, to be known as title thirteen, part one of the act to revise and consolidate the general statutes, (O. L., Vol. 75, p. 436.)

R. G. RICHARDS,	C. R. HARMON,
C. F. KRIMMEL,	DUNCAN DOW,
J. W. WASHBURN,	WM. JESSUP.

H. B. No. 685 - Mr. Wasson—To authorize the use of a portion of the school fund of sub-district No. 5, of Walnut township, Gallia county, Ohio, for the purpose of having a German school taught in said sub-district—was read the third time.

Mr. Kelley moved that the bill be referred to the committee on Public Printing.

Which was agreed to.

H. B. No. 715—Mr. Bohl—To revise and consolidate the statutes relating to persons, being title one, part two of the act to revise and consolidate the general statutes of Ohio—was taken up, and, at 12:25 P.M., during the third reading of said bill, by unanimous consent—

On motion of Mr. Curtiss, the Senate took a recess until 2 o'clock P.M.

TWO O'CLOCK P.M.

When the Senate took a recess, it had under consideration H. B. No. 715, the third reading of which was concluded.

Mr. Wilson moved to refer the bill to a select committee of one, with instructions to amend as follows:

In chapter 4, section 15, lines 13 and 14, strike out "or his authorized agent," and insert: "board, officer, or the clerk or agent thereof."

Chapter 4, section 16, line 1, strike out "his authorized agent or attorney," and insert: "board, officer, or clerk, agent, or attorney thereof"; in lines 6 and 7, strike out "his authorized agent or attorney," and insert: "board, officer, or clerk, agent, or attorney thereof."

Chapter 4, section 18, in lines 5 and 6, strike out "or his authorized agent," and insert: "board, officer, or clerk, or agent thereof."

In chapter 4, section 21, line 1, strike out "or his agent," and insert: "board, officer, or the authorized clerk or agent thereof"; in line 8, strike out "or his authorized agent," and insert: "board, officer, or the clerk or agent thereof"; in line 10, between the words "property" and "designated," insert: "or improvement."

Which was agreed to, and Mr. Wilson was appointed such committee, and reported the bill back amended as instructed.

Mr. Johnston moved to refer the bill to a select committee of one, with instructions to amend as follows:

In line 10, of section 1, of chapter 1, after the word "same," insert the following: "for any period not exceeding three years."

Which was agreed to, and Mr. Johnston was appointed such committee, and reported the bill back amended as instructed.

Mr. Armstrong moved to refer the bill to a select committee of one, with instructions to amend as follows:

In line 5, chapter 3, section 1, page 24, strike out the word "seven", and insert "eight."

Pending which, on demand of Mr. Fisher, a call of the Senate was had.

Messrs. Carlisle, Carson, Irvine, Krimmel and Sabine were absent.

Mr. Fisher moved that the Sergeant-at-Arms be dispatched for absentees.

Which was agreed to.

Leave of absence was asked and obtained for Mr. Sabine for this afternoon.

Mr. Fisher moved that the vote whereby the Sergeant-at-Arms was dispatched for absentees be reconsidered.

Which was agreed to.

On motion of Mr. Fisher, further proceedings under the call were dispensed with.

The question being on Mr. Armstrong's motion, to refer the bill to a select committee of one, with instructions to amend, the yeas and nays were demanded, taken, and resulted—yeas 17, nays 13, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Carlisle, Forrest, Grove, Howland, Jackson of Clinton, Johnston, Kelley, Marsh, McDonald, Owens, Parker, Richards, Tyler, Wagener and Wilson—17.

Those who voted in the negative were—

Messrs. Beer, Benson, Curtiss, Dungan, Fisher, Jackson of Perry, Joy, Lord, Saltzgaber, Seitz, Sherrick, Steedman and Stokes—13.

So the motion was agreed to, and Mr. Armstrong was appointed such committee, and reported the bill back amended as instructed.

Mr. Saltzgaber moved to refer the bill to a select committee of one, with instructions to amend as follows :

On page 30, section 8, chapter 4, strike out of lines 3, 4 and 5, the words "he may proceed against such property in attachment, and have the same sold, rented, or leased, as above provided," and insert in lieu thereof: "notice may be given by publication, as in other civil actions."

Which was agreed to, and Mr. Saltzgaber was appointed such committee, and reported the bill back amended as instructed.

Mr. Howland moved to refer the bill to a select committee of one, with instructions to amend as follows :

Section 19, page 34, strike out after the word "situated," in line 8, the words "within forty days from the last date on which materials were furnished or labor performed."

Which was agreed to, and Mr. Howland was appointed such committee, and reported the bill back amended as instructed.

Mr. Fisher moved to refer the bill to a select committee of one, with instructions to amend as follows :

Strike out in line 5, of section 1, chapter 3, page 24, the word "eight," and insert "six".

On which motion the yeas and nays were demanded, taken, and resulted—yeas 13, nays 16, as follow :

Those who voted in the affirmative were—

Messrs. Beer, Benson, Curtiss, Dungan, Fisher, Jackson of Perry, Joy, Lord, Saltzgaber, Seitz, Sherrick, Steedman and Stokes—13

Those who voted in the negative were—

Messrs. Armstrong, Beebe, Carlisle, Forrest, Grove, Howland, Johnston, Kelley, Marsh, McDonald, Owens, Parker, Richards, Tyler, Wagener and Wilson—16.

So the motion was disagreed to.

Mr. Seitz moved to refer the bill to a select committee of one, with instructions to amend as follows :

In line 10, section 3, chapter 3, page 25, strike out the word "six", and insert "five."

On which motion the yeas and nays were demanded, taken, and resulted—yeas 15, nays 16, as follow :

Those who voted in the affirmative were—

Messrs. Beer, Benson, Carlisle, Dungan, Fisher, Forrest, Irvine, Jackson of Perry, Joy, Lord, Saltzgaber, Seitz, Sherrick, Steedman and Tyler—15.

Those who voted in the negative were—

Messrs. Armstrong, Beebe, Carson, Curtiss, Grove, Howland, Johnston, Kelley, Marsh, Owens, Parker, Richards, Sabine, Wagener, Williams and Wilson—16.

So the motion was disagreed to.

Mr. Tyler moved to reconsider the vote whereby Mr. Armstrong's motion, to strike out in line 5, chapter 3, section 1, page 24, the word "seven", and insert "eight," was agreed to.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 12, nays 17, as follow :

Those who voted in the affirmative were—

Messrs. Beer, Curtiss, Dungan, Fisher, Joy, Lord, Saltzgaber, Seitz, Sherrick, Steedman, Stokes and Tyler—12.

Those who voted in the negative were—

Messrs. Armstrong, Beebe, Benson, Carlisle, Carson, Forrest, Grove, Howland, Johnston, Kelley, Marsh, Owens, Parker, Richards, Sabine, Wagener and Wilson—17.

So the motion was disagreed to.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 26, nays 1, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Carson, Curtiss, Fisher, Forrest, Grove, Irvine, Johnston, Joy, Kelley, Marsh, McDonald, Owens, Parker, Richards, Sabine, Saltzgaber, Stokes, Tyler, Wagener, Williams and Wilson—26.

Mr. Steedman voted in the negative.

So the bill passed. The title was agreed to.

Mr. Kelley moved to reconsider the vote whereby H. B. No. 735 was passed.

Mr. Forrest moved that said motion be laid on the table.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 11, nays 18, as follow :

Those who voted in the affirmative were—

Messrs. Beer, Curtiss, Dungan, Forrest, Grove, Irvine, Joy, Parker, Saltzgaber, Tyler and Wagener—11.

Those who voted in the negative were—

Messrs. Armstrong, Beebe, Benson, Carson, Fisher, Howland, Johnston, Kelley, Lord, Marsh, McDonald, Richards, Sabine, Seitz, Sherrick, Steedman, Stokes and Wilson—18.

So the motion was disagreed to.

The question recurring on Mr. Kelley's motion to reconsider, the yeas and nays were demanded, taken, and resulted—yeas 13, nays 13, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beer, Benson, Fisher, Howland, Johnston, Kelley, Lord, Marsh, Richards, Sabine, Seitz and Steedman—13.

Those who voted in the negative were—

Messrs. Carson, Curtiss, Dungan, Forrest, Grove, Irvine, Joy, Owens, Parker, Saltzgaber, Sherrick, Tyler and Wilson—13.

So the motion was disagreed to.

S. B. No. 273 - Mr. Owens—To provide for indexing the land records of Licking county—was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 26, nays none, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beer, Benson, Carlisle, Carson, Curtiss, Dungan, Fisher, Forrest, Grove, Howland, Irvine, Jackson of Clinton, Johnston, Kelley, Lord, McDonald, Owens, Parker, Richards, Sabine, Saltzgaber, Steedman, Stokes, Tyler and Williams—26.

So the bill passed. The title was agreed to.

On motion of Mr. Curtiss, the consideration of S. B. No. 263 was postponed until Wednesday, March 19.

Mr. Carlisle moved to take from the table S. J. R. No. 83.

Which was agreed to.

The question being on the adoption of said joint resolution—

On motion of Mr. Richards, the words "or guards", in line 6, were stricken out.

Mr. Owens moved to amend said joint resolution as follows: add after the word "guard", in line 6, the following: "to be paid at a rate not exceeding fifty dollars per month, for night service."

Which was agreed to.

The question being on the adoption of the joint resolution, as amended, the yeas and nays were taken, and resulted—yeas 23, nays 1, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beer, Carlisle, Carson, Curtiss, Dungan, Forrest, Grove, Irvine, Jackson of Perry, Johnston, Joy, McDonald, Owens, Parker, Richards, Sabine, Saltzgaber, Steedman, Stokes, Tyler, Williams and Wilson—23.

Mr. Fisher voted in the negative.

So said joint resolution was adopted.

Substitute for S. B. No. 288—Mr. Forrest—For the appointment of deputy commissioners of costs and fees, and to provide for the collection of costs and fees due in certain counties—was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 20, nays 4, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beer, Carlisle, Carson, Curtiss, Dungan, Fisher, Forrest, Grove, Irvine, Jackson of Perry, Joy, McDonald, Owens, Parker, Sherrick, Steedman, Stokes, Tyler and Williams - 20.

Those who voted in the negative were—

Messrs. Howland, Marsh, Seitz and Wilson—4.

So the bill passed. The title was agreed to.

S. B. No. 287—Mr. Beebe—To authorize the city of Akron to receive money in trust for the Akron Rural Cemetery Association—was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 25, nays none, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beer, Carlisle, Curtiss, Dungan, Fisher, Forrest, Grove, Irvine, Jackson of Clinton, Jackson of Perry, Johnston, Joy, Kelley, Marsh, McDonald, Owens, Parker, Richards, Seitz, Sherrick, Steedman, Stokes, Tyler and Wilson—25.

So the bill passed. The title was agreed to.

S. B. No. 296—Mr. Jackson of Perry—Relative to the alteration of plats of lots not within municipal corporations—was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 28, nays none, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beer, Carlisle, Carson, Curtiss, Dungan, Fisher, Forrest, Grove, Howland, Irvine, Jackson of Clinton, Jackson of Perry, Johnston, Joy, Kelley, Marsh, McDonald, Owens, Parker, Richards, Seitz, Sherrick, Steedman, Stokes, Tyler, Williams and Wilson—28.

So the bill passed. The title was agreed to.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The Speaker of the House of Representatives has, in the presence of the House, signed the following bills :

S. B. No. 227—Mr. Marsh—To amend section one of chapter one, and section one of chapter two of an act entitled an act to amend and revise the statutes relating to taxation, to be known as title thirteen, part one of the act to revise and consolidate the general statutes, (O. L., Vol. 75, p. 436.)

H. B. No. 647—Mr. Dempey—For the transfer of certain lots of land in the township of Newburg, Cuyahoga county, from the control of the Board of Education of the city of Cleveland to the Board of Education of the township of Newburg.

H. B. No. 702—Mr. Williamson—To authorize the town Council of the incorporated village of New London, Huron county, Ohio, to levy a tax for the purpose of purchasing a town-clock.

Attest :

L. A. BRUNNER, *Clerk.*

The President, in presence of the Senate, signed said bills.

Mr. Dungan submitted the following report :

The joint committee on Enrollment has examined, and found correctly enrolled, the following bill and joint resolution :

H. B. No. 616—To amend section six, chapter four, division seven of an act entitled an act to amend, revise and consolidate the statutes relating to municipal corporations, to be known as title twelve, part one of the act to revise and consolidate the general statutes of Ohio.

H. J. R. No. 90—To authorize the Governor to give deeds for certain lots.

IRVINE DUNGAN,	J. R. JOHNSTON,
J. W. WASHBURN,	WM. JESSUP,
C. R. HARMON,	E. S. PERKINS,
DUNCAN DOW,	R. G. RICHARDS.

On motion of Mr. Forrest, the consideration of S. B.'s Nos. 307 and 196 was postponed until to-morrow.

Mr. Johnston moved that the Senate adjourn.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 6, nays 21, as follow :

Those who voted in the affirmative were—

Messrs. Beer, Fisher, Irvine, Jackson of Clinton, Johnston and Kelley—6.

Those who voted in the negative were—

Messrs. Armstrong, Carlisle, Carson, Curtiss, Dungan, Forrest, Grove,

Jackson of Perry, Joy, Marsh, McDonald, Owens, Parker, Richards, Saltzgaber, Seitz, Sherrick, Steedman, Stokes, Tyler and Williams—21.

So the motion was disagreed to.

Mr. Steedman, on leave, introduced the following bill, which was read the first time:

S. B. No. 316—Providing for the collection of taxes and assessments on real estate offered at delinquent tax sale, and authorizing courts to correct errors in tax proceedings.

On motion of Mr. Johnston, the Senate adjourned.

Attest:

ALLEN O. MYERS, *Clerk*.

WEDNESDAY, *March* 12, 1879—10 o'clock A.M.

The Senate met pursuant to adjournment.

Prayer by Rev. A. C. Hirst.

The Journal was read and approved.

Mr. Owens presented the petition of Elihu P. Hayes and 69 other citizens of Union township, Licking county, asking for passage of S. B. No. 291, creating two voting precincts in said township.

Which was referred to the committee on Privileges and Elections.

Mr. Forrest presented the petition of J. H. McLarin and 206 other citizens of Cuyahoga and Crawford counties, for relief from the attachment law.

Which was referred to the committee on Judiciary.

Mr. Forrest presented the petition of J. W. Simmons and 800 other citizens of Jefferson, Tuscarawas and Harrison counties, for relief from the attachment law.

Which was referred to the committee on Judiciary.

Mr. Curtiss presented the remonstrance of E. C. Frost and 45 other citizens of Olmsted, Cuyahoga county, against the passage of Foster's Infirmary Bill, and ask that if the bill should pass, that said Olmsted township be excluded from the territory to be taxed for such a purpose.

Which was referred to the committee on Finance.

Mr. Jackson of Perry presented the petition of John Gallin and 190 other citizens of Perry county, asking the passage of a law to authorize the citizens of Reading township, of said Perry county, to levy a tax to pay off the indebtedness of the Perry County Live stock, Agricultural and Mechanical Art Union Society, a corporation organized in said township.

Which was referred to the committee on Finance.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bills, in which the concurrence of the Senate is requested:

H. B. No. 692—Mr. Haley—To authorize the Council of the incorporated village of Kenton, in Hardin county, to issue bonds.

H. B. No. 675—Mr. Greene—Supplementary to an act entitled an act to authorize the Trustees of Silver Creek township, Greene county, to

loan certain moneys, as amended March 15, 1875, passed April 8, 1876, (O. L., Vol. 73, p. 289.)

Attest:

L. A. BRUNNER, *Clerk.*

Said bills were read the first time.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The following bills have been introduced in the House of Representatives, and read the first time:

H. B. No. 888—Mr. Booth—To amend section seventeen of an act entitled an act to amend sections one, three, four, five, ten, eleven, fourteen, sixteen, seventeen, eighteen, nineteen, twenty-two, twenty-three, twenty-five, twenty-seven, thirty-three, thirty-five, thirty-six and thirty-eight of chapter two of the act entitled an act to consolidate, revise and amend the statutes relating to jails and the penitentiary, to be known as title three, part one, jails and penitentiary, passed May 5, 1877, (O. L., Vol. 74), to add supplementary sections thirty-nine and forty to said chapter two, and to repeal said original sections one, three, four, five, ten, eleven, fourteen, sixteen, seventeen, eighteen, nineteen, twenty-two, twenty-three, twenty-five, twenty-seven, thirty-three, thirty-five, thirty-six and thirty-eight, passed February 27, 1878.

H. B. No. 889—Mr. Norton—To encourage and regulate the study of anatomy, and to repeal section sixteen, of chapter nine of an act entitled an act to amend, revise and consolidate the statutes relating to crimes and offenses.

H. B. No. 890—Mr. Williams—To amend section eight, chapter one of an act entitled an act to regulate insurance companies doing an insurance business in the State of Ohio, passed April 27, 1872.

Attest:

L. A. BRUNNER, *Clerk.*

The following bill was read the second time and referred:

S. B. No. 314—Mr. Richards—To amend section five, chapter three of an act entitled an act to amend and revise the statutes relating to taxation, to be known as title thirteen, part one of an act to revise and consolidate the general statutes, (75, O. L., 461).

Committee on Finance,

S. B. No. 307—Mr. Forrest—To establish a quarantine in certain cities, and for other purposes—was read the third time.

Mr. Marsh moved to refer the bill to a select committee of one, with instructions to amend as follows:

Strike out in section 6, line 3, all after the word "the," and insert the words "city council of such city"

Strike out in section 7, line 5, the words "or health officer," and insert the words "and city council of said city."

Which was agreed to, and Mr. Marsh was appointed such committee, and reported the bill back amended as instructed.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 25, nays none, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Benson, Carlisle, Carson, Curtiss, Fisher, Forrest, Grove, Howland, Irvine, Jackson of Perry, Joy, Krimmel, Marsh,

Parker, Richards, Saltzgaber, Seitz, Sherrick, Steedman, Tyler, Wagener, Williams and Wilson—25.

So the bill passed. The title was agreed to.

Mr. Saltzgaber submitted the following report:

The committee on Revision has examined, and found correctly engrossed, S. J. R. No. 83.

G. M. SALTZGABER,
J. C. FISHER.

S. B. No. 196—Mr. Benson—To amend an act to abolish public execution, passed March 12, 1844, (Swan & Sayler, 1191).

Mr. Steedman moved to refer the bill to a select committee of one, with instructions to amend as follows:

In line 2, section 4, after the word "penitentiary", insert the words "to appoint a chief headsman and."

On which motion the yeas and nays were demanded, taken, and resulted—yeas 2, nays 25, as follow:

Those who voted in the affirmative were—
Messrs. Curtiss and Steedman—2.

Those who voted in the negative were—

Messrs. Armstrong, Beebe, Benson, Carlisle, Carson, Dungan, Fisher, Forrest, Howland, Irvine, Jackson of Perry, Johnston, Joy, Kelley, McDonald, Owens, Parker, Richards, Saltzgaber, Seitz, Sherrick, Stokes, Tyler Williams and Wilson—25.

So the motion was disagreed to.

Mr. Johnston moved to refer the bill to a select committee of one, with instructions to amend as follows:

In line 12, of section 5, after the word "deputy", insert the following: "and such representatives of the press as the Warden may designate, not exceeding ten in number."

Which was disagreed to.

On demand of Mr. Curtiss, a call of the Senate was had.

Messrs. Jackson of Clinton, Krimmel and Richards were absent.

On motion of Mr. Curtiss, further proceedings under the call were dispensed with.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 23, nays 7, as follow:

Those who voted in the affirmative were—

Messrs. Beebe, Beer, Benson, Carlisle, Carson, Curtiss, Dungan, Fisher, Forrest, Howland, Irvine, Jackson of Perry, Johnston, Kelley, Lord, McDonald, Parker, Sabine, Seitz, Stokes, Wagener, Williams and Wilson—23.

Those who voted in the negative were—

Messrs. Armstrong, Grove, Joy, Marsh, Sherrick, Steedman and Tyler—7.

So the bill passed. The title was agreed to.

MESSAGE FROM THE GOVERNOR.

THE STATE OF OHIO, EXECUTIVE DEPARTMENT,

COLUMBUS, 12th day of March, 1879.

To the Senate:

I have the honor to nominate, and by and with the advice and consent of the Senate, appoint John M. Pugh, of Columbus, Franklin county, to be a Commissioner of the Reform School for Boys, for the term of five years, from April 4, 1879.

Very respectfully,

RICHARD M. BISHOP.

Mr. Johnston moved that the communication be referred to the committee on Reform Schools.

Mr. Marsh moved that the Senate take a recess.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 5, nays 22, as follow:

Those who voted in the affirmative were—

Messrs. Beer, Johnston, Joy, Marsh and Owens—5.

Those who voted in the negative were—

Messrs. Armstrong, Beebe, Benson, Carlisle, Curtiss, Dungan, Fisher, Forrest, Grove, Jackson of Perry, McDonald, Parker, Sabine, Saltzgaber, Seitz, Sherrick, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—22.

So the motion was disagreed to.

The question recurring on Mr. Johnston's motion, to refer said communication—

The same was agreed to.

Mr. Krimmel submitted the following report:

The joint committee on Enrollment has examined, and found correctly enrolled, the following bill:

H. B. No. 735—Providing for the relief of street railroad companies in certain cases.

C. F. KRIMMEL,	J. W. WASHBURN,
WM. JESSUP,	R. G. RICHARDS,
A. D. MARSH,	J. R. JOHNSTON,
DUNCAN DOW,	F. M. CARTER.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The Speaker of the House of Representatives has, in the presence of the House, signed the following bill:

H. B. No. 735—Mr. Klimper—Providing for the relief of street railroad companies in certain cases.

Attest:

L. A. BRUNNER, *Clerk.*

The President, in presence of the Senate, signed said bill.

Mr. Sherrick submitted the following report:

The standing committee on Finance, to whom was referred H. B. No. 729—To provide for the purchase of tents for Ohio National Guards

—having had the same under consideration, report it back without recommendation.

J. SHERRICK,	H. W. CURTISS,
J. C. FISHER,	THOS. M. BEER,
JOHN SEITZ,	H. C. LORD.
J. M. CARSON,	

Said bill was ordered to be engrossed and read the third time on Wednesday next.

Mr. Forrest moved that the rules be suspended, that H. B. No. 699 may be taken from the table.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 19, nays 13, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Benson, Carlisle, Carson, Dungan, Forrest, Grove, Jackson of Perry, Joy, Krimmel, Lord, McDonald, Parker, Sherrick, Steedman, Stokes, Tyler, Wagener and Williams—19.

Those who voted in the negative were—

Messrs. Beebe, Beer, Curtiss, Fisher, Irvine, Johnston, Kelley, Marsh, Owens, Sabine, Saltzgaber, Seitz and Wilson—13.

So the motion was disagreed to.

Mr. Fisher submitted the following report :

The committee on Revision has examined, and found correctly engrossed, S. B. No. 307.

J. C. FISHER,	J. M. CARSON,
G. M. SALTZGABER,	G. W. WILSON.

On motion of Mr. Lord, the Senate took a recess.

THREE O'CLOCK P.M.

Mr. Sherrick submitted the following report:

The standing committee on Finance, to whom was referred H. B. No. 778—For the relief of the official sureties of Lewis Myers, late Treasurer of Auglaize county, State of Ohio—having had the same under consideration, report it back, and recommend its passage.

J. SHERRICK,	J. C. FISHER,
H. W. CURTISS,	H. C. LORD.
JOHN SEITZ,	

Said bill was ordered to be engrossed and read the third time now, and was then read.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 26, nays 3, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Benson, Carlisle, Curtiss, Dungan, Forrest, Grove, Howland, Irvine, Jackson of Perry, Joy, Kelley, Krimmel, Lord, Marsh, McDonald, Parker, Richards, Sabine, Saltzgaber, Seitz, Sherrick, Tyler, Wagener and Williams—26.

Those who voted in the negative were—

Messrs. Beer, Johnston and Owens—3.

So the bill passed. The title was agreed to.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has concurred in the passage of the following bill:

S. B. No. 300—Mr. Johnston—To repeal sections seven and eight of chapter one, of title four of the laws relating to error, mandamus and quo warranto, (O. L., Vol. 75, p. 805)—with the following amendment, in which the concurrence of the Senate is requested:

At the end of section 2, add: "and then apply to pending actions."

Attest:

L. A. BRUNNER, *Clerk.*

The question being on concurring in said House amendment, the yeas and nays were demanded, taken, and resulted—yeas 28, nays none, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Curtiss, Dungan, Fisher, Forrest, Grove, Howland, Irvine, Johnston, Joy, Kelley, Krimmel, Lord, Marsh, McDonald, Owens, Parker, Richards, Sabine, Saltzgaber, Tyler, Wagener, Williams and Wilson—28.

So the Senate concurred in said House amendment.

Mr. Curtiss introduced the following bill, which was read the first time:

S. B. No. 317—To amend the act of April 27, 1872, entitled an act to regulate insurance companies doing an insurance business in the State of Ohio, (49 Vol., 140.)

Mr. Beer submitted the following report:

The standing committee on Finance, to whom was referred S. B. No. 310—For the relief of the heirs of R. W. Davis and J. R. Cahill, of York township, Union county, Ohio—having had the same under consideration, report it back, and recommend its passage.

J. SHERRICK,	J. C. FISHER,
H. W. CURTISS,	THOS. M. BEER,
JOHN SEITZ,	H. C. LORD.

Said bill was ordered to be engrossed and read the third time now, and was then read.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 25, nays 1, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Carlisle, Curtiss, Dungan, Fisher, Grove, Howland, Irvine, Jackson of Perry, Kelley, Krimmel, Lord, Marsh, McDonald, Richards, Sabine, Saltzgaber, Seitz, Sherrick, Stokes, Tyler, Wagener and Williams—25.

Mr. Johnston voted in the negative.

So the bill passed. The title was agreed to.

Mr. Curtiss submitted the following report:

The standing committee on Finance, to whom was referred H. B. No. 822—To authorize the Board of Education of Perry township, Lawrence county, to levy a tax to pay the indebtedness of said township incurred in the erection of school-houses—having had the same under consideration, report it back, and recommend its passage.

H. W. CURTISS,	J. SHERRICK,
J. C. FISHER,	T. M. BEER.
J. M. CARSON,	

Said bill was ordered to be engrossed and read the third time now, and was then read.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 25, nays none, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beer, Benson, Carlisle, Curtiss, Dungan, Fisher, Forrest, Grove, Howland, Jackson of Perry, Johnston, Joy, Kelley, Krimmel, Lord, Marsh, McDonald, Owens, Saltzgaber, Sherrick, Tyler, Wagener, Williams and Wilson—25.

So the bill passed. The title was agreed to.

Mr. Curtiss submitted the following report :

The standing committee on Finance, to whom was referred H. B. No. 796—To authorize the Board of Education of Waterford township, Washington county, Ohio, to compromise with the defaulting Treasurer of said township—having had the same under consideration, report it back, and recommend its passage.

H. W. CURTISS,	J. M. CARSON,
J. SHERRICK,	JOHN SEITZ.
J. C. FISHER,	

Said bill was ordered to be engrossed and read the third time to-morrow.

Mr. Fisher submitted the following report:

The standing committee on Finance, to whom was referred H. B. No. 745—To authorize the Commissioners of the counties of Putnam, Wood and Henry to levy a tax to pay certain fees therein named—having had the same under consideration, report it back, and recommend its passage.

J. C. FISHER,	J. M. CARSON,
J. SHERRICK,	JOHN SEITZ,
H. W. CURTISS,	THOS. M. BEER.

Said bill was ordered to be engrossed and read the third time now, and was then read.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 21, nays none, as follows :

Those who voted in the affirmative were—

Messrs. Armstrong, Beer, Carlisle, Curtiss, Dungan, Fisher, Forrest, Grove, Jackson of Perry, Johnston, Joy, Kelley, Krimmel, Lord, McDonald, Richards, Seitz, Sherrick, Stokes, Tyler and Williams—21.

So the bill passed. The title was agreed to.

Leave of absence was asked for the committee on Benevolent Institutions for to-morrow.

Which was granted.

Mr. Seitz submitted the following report :

The standing committee on Finance, to whom was referred H. B. No. 839—Supplementary to an act to authorize township Trustees of any township of this State to levy a tax for purchasing a hearse and erecting a vault, passed March 14, 1878, (Vol. 75, p. 46)—having had the same under consideration, report it back without recommendation.

H. W. CURTISS,	J. C. FISHER,
J. M. CARSON,	J. SHERRICK.
JOHN SEITZ,	

Said bill was ordered to be engrossed and read the third time to-morrow.

Mr. Marsh submitted the following report :

The standing committee on Municipal Corporations, to whom was

referred H. B. No. 774—To authorize the Trustees of Madison township, Franklin county, Ohio, to sell certain real estate—having had the same under consideration, report it back, and recommend its passage.

THEO. MARSH, G. A. GROVE,
G. W. WILSON, JAS. B. STEEDMAN.
R. G. RICHARDS,

Said bill was ordered to be engrossed and read the third time on Wednesday next.

Mr. Marsh submitted the following report:

The standing committee on Municipal Corporations, to whom was referred H. B. No. 700—To authorize the town Council of the incorporated village of Richwood, Union county, Ohio, to transfer certain funds therein—having had the same under consideration, report it back, and recommend its passage.

THEO. MARSH, JAS. B. STEEDMAN,
R. G. RICHARDS, G. W. WILSON.
G. A. GROVE,

Said bill was ordered to be engrossed and read the third time on Wednesday next.

Mr. Tyler submitted the following report:

The committee on Railroads, Telegraphs and Turnpikes, to whom was referred H. B. No. 53—To amend section one of an act passed March 27, 1875, (O. L., Vol. 72, p. 85), entitled an act to amend section one of an act entitled an act to fix the rates of toll on turnpike and plank-road companies, passed March 16, 1875, (S. & S., p. 147)—having had the same under consideration, report it back without recommendation.

GEO. P. TYLER, D. JOY,
H. C. LORD, THOS. M. BEER,
J. M. CARSON, H. SABINE.
J. C. FISHER,

Said bill was ordered to be engrossed and read the third time on Thursday of next week.

Mr. Carlisle submitted the following report:

The committee on Roads and Highways, to whom was referred S. B. No. 303—To authorize the Commissioners of Marion county to borrow money to pay an indebtedness of the Marion and Mansfield free turnpike road, and to levy and assess a tax for the payment thereof—having had the same under consideration, report it back, and recommend its passage.

B. W. CARLISLE, J. C. McDONALD,
JOHN H. BENSON, C. S. PARKER,
J. B. WILLIAMS, LINDSEY KELLEY.

Said bill was ordered to be engrossed and read the third time on Wednesday next.

Mr. Grove submitted the following report:

The standing committee on Reform School for Boys, to whom was referred message from the Governor, recommending John M. Pugh for Commissioner of the Reform School for Boys, having had the same under consideration, report it back with the recommendation that the nomination be confirmed.

R. G. RICHARDS, G. A. GROVE,
B. W. CARLISLE, T. M. BEER,
LYMAN J. JACKSON, JOHN SEITZ,

The question being on advising and consenting to said appointment, the yeas and nays were taken, and resulted—yeas 21, nays none, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Benson, Carlisle, Dungan, Fisher, Grove, Johnston, Joy, Lord, Marsh, McDonald, Owens, Parker, Richards, Seitz, Sherrick, Steedman, Stokes, Tyler, Williams and Wilson—21.

So the Senate advised and consented to said appointment.

Mr. Saltzgaber submitted the following report:

The standing committee on Salaries and Fees of Public Officers, to whom was referred H. B. No. 429—To regulate the fees of county auditors, clerks of courts, probate judges, sheriffs, treasurers, and recorders, and to repeal sections one, two, three, five, six, eight, nine, eleven, sixteen, twenty-four and thirty-nine of an act entitled an act to regulate the fees of probate judges, clerks of the courts, sheriffs, witnesses, jurors, fees in partition, and to repeal certain acts therein named, passed April 18, 1876, (73, O. L., 127) —having had the same under consideration, report it back, with the following amendments, and without further recommendation, viz.:

1. In section 2, line 4, after the word “fees,” insert “and compensation.”

2. In section 3, line 3, after the word “fees,” insert “and compensation.”

3. In section 4, line 3, strike out “seventy,” and insert “eighty”; and in the same section, line 4, after the word “fees,” insert “and compensation.”

4. In section 5, line 4, after the word “fees,” insert the words “and compensation.”

5. In section 6, line 3, after the word “seventy,” insert the word “five”; and in the same section, line 4, after the word “fees,” insert “and compensation.”

6. In section 7, line 3, strike out the word “sixty”, and insert the word “seventy” and in the same section; line 4, after the word “fees,” insert the words “and compensation.”

G. W. WILSON,
H. SABINE,
JOHN SEITZ,

JOHN H. BENSON,
THEO. MARSH,
G. M. SALTZGABER.

Said amendments were agreed to, and the bill was ordered to be engrossed and read the third time on Wednesday next.

Mr. Saltzgaber submitted the following report:

The standing committee on Salaries and Fees of Public Officers, to whom was referred S. B. No. 279—To amend section one of an act entitled an act to fix the compensation of members of the General Assembly of the State of Ohio, (S. & S., 696)—having had the same under consideration, report it back, and recommend its passage.

G. M. SALTZGABER, JOHN SEITZ,
JOHN H. BENSON, H. SABINE,
THEO. MARSH, G. W. WILSON.

Said bill was ordered to be engrossed and read the third time on Wednesday next.

Mr. Steedman submitted the following report:

The standing committee on Public Works, to whom was referred H. B. No. 447—To authorize the sale of certain lands therein named—having

had the same under consideration, report it back, with the following amendment, and recommend its passage when so amended:

In line 13, section 2, strike out the words "John H. Myers," and insert the word "purchaser."

JAS. B. STEEDMAN,	W. P. HOWLAND,
G. A. GROVE,	LYMAN J. JACKSON.
G. W. WILSON,	

Said bill was ordered to be engrossed and read the third time on Wednesday next.

Mr. Lord submitted the following report:

The standing committee on Privileges and Elections, to whom was referred S. B. No. 291—To divide the township of Union, county of Licking, into two election precincts—having had the same under consideration, report it back, and recommend its passage.

R. G. RICHARDS,	LYMAN J. JACKSON,
H. C. LORD,	G. M. SALTZGABER.

Said bill was ordered to be engrossed and read the third time on Thursday of next week.

Mr. Dungan submitted the following report:

The joint committee on Enrollment has examined, and found correctly enrolled, the following bill:

S. B. No. 235—To regulate contracts of insurance of buildings and structures.

IRVINE DUNGAN,	R. G. RICHARDS,
E. S. PERKINS,	C. R. HARMON,
F. M. CARTER,	DUNCAN DOW,
J. W. WASHBURN,	J. R. JOHNSTON.

The following bills were introduced, and read the first time:

S. B. No. 318—Mr. Richards—To authorize the incorporated village of Salem, Columbiana county, Ohio, to levy a tax to improve the streets of said village.

S. B. No. 319—Mr. Williams—To authorize the town Council of Woodfield, Monroe county, to issue bonds and levy a tax.

Leave of absence was asked and obtained for the committee on Reform Schools for to-morrow.

Mr. Forrest submitted the following report:

The standing committee on Judiciary, to whom was referred S. B. No. 308—To revise and consolidate the general statutes of the State of Ohio—having had the same under consideration, report it back, and recommend its passage.

LYMAN J. JACKSON,	G. M. SALTZGABER,
IRVINE DUNGAN,	W. T. FORREST.

Mr. Wilson moved that said bill (S. B. No. 308) be referred to the special joint committee, appointed in pursuance of Substitute for S. J. R. No. 64.

Which was agreed to.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The Speaker of the House of Representatives has, in the presence of the House, signed the following bill:

S. B. No. 235 Mr. Howland—To regulate contracts of insurance of buildings and structures.

Attest:

L. A. BRUNNER, *Clerk*.

The President *pro tem.*, in presence of the Senate, signed said bill.

On motion of Mr. Marsh, the Senate adjourned.

Attest:

ALLEN O. MYERS, *Clerk*.

THURSDAY, *March* 13, 1879—10 o'clock A.M.

The Senate met pursuant to adjournment.

Prayer by Rev. A. C. Hirst.

The Journal was read and approved.

Mr. Seitz offered the following resolution:

S. R. No. 88: *Resolved*, That hereafter during this session, immediately after the reading of the journal each day, the Clerk shall be required to call the roll of the Senate, noting all members who are absent without leave.

Mr. Johnston gave notice of his intention to discuss said resolution; so it went over under the rule.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has concurred in the adoption of the following joint resolution:

S. J. R. No. 83—Mr. Carlisle—Authorizing the Adjutant-general to employ a guard for the State Arsenal—with the following amendment, in which the concurrence of the Senate is requested:

After the word "service," in line 7, insert the words "for two months."

Attest:

L. A. BRUNNER, *Clerk*.

The question being on concurring in said House amendment—

Mr. Seitz moved to lay the resolution and amendment on the table.

Which was agreed to.

Mr. Marsh presented the petition of C. A. Miller, Superintendent of Longview Asylum, and B. Roth, Director, citizens of Hamilton county, Ohio, asking for the appointment of a committee to investigate certain charges of official misconduct in the management of Longview Asylum.

Which was referred to a select committee of three.

Mr. Marsh offered the following resolution:

S. R. No. 89: WHEREAS, Charges of misconduct in the management of Longview Asylum, deleterious to the public interest, have obtained circulation; and

WHEREAS, The Board of Directors of said asylum have petitioned by resolutions the General Assembly, asking for the appointment of a committee of investigation, though said resolutions have been lost or mis-carried; and

WHEREAS, The said Directors and the Superintendent are asking for, and desire a public investigation as to the truth or falsity of the charges, and as to all matters relating to their official acts; therefore,

Be it resolved, That a committee of three members of the Senate be

appointed to investigate the management by the Board of Directors, and the official conduct of the Directors and Superintendent, and all other officers and attendants of said Asylum since its reorganization, and as to the treatment which the patients have received, with full power to send for persons and papers, and to compel the attendance of witnesses, and report their testimony and their findings to the Senate.

Mr. Saltzgaber moved that the consideration of said resolution be postponed until Tuesday next.

Which was disagreed to.

The question being on the adoption of said resolution, the same was adopted.

Bills were read the second time and referred, as follows:

H. B. No. 692—Mr. Haley—To authorize the Council of the incorporated village of Kenton, in Hardin county, to issue bonds.

Committee on Municipal Corporations.

H. B. No. 675—Mr. Greene—Supplementary to an act entitled an act to authorize the Trustees of Silver Creek township, Greene county, to loan certain moneys, as amended March 15, 1875, passed April 8, 1876, (O. L., Vol. 73, p. 289.)

Committee on Corporations other than Municipal.

S. B. No. 316—Mr. Steedman—Providing for the collection of taxes and assessments on real estate offered at delinquent tax sale, and authorizing courts to correct errors in tax proceedings.

Committee on Finance.

S. B. No. 317—Mr. Curtiss—To amend the act of April 27, 1872, entitled an act to regulate insurance companies doing an insurance business in the State of Ohio, (Vol. 69, O. L., p. 140).

Committee on Corporations other than Municipal.

S. B. No. 318—Mr. Richards—To authorize the incorporated village of Salem, Columbiana county, Ohio, to levy a tax to improve the streets of said village.

Committee on Municipal Corporations.

S. B. No. 319—Mr. Williams—To authorize the town Council of Woodfield, Monroe county, Ohio, to issue bonds and levy a tax.

Committee on Municipal Corporations.

Mr. Kelley presented the petition of 100 employes of Campell, McGugin & Co. and citizens of Lawrence county, praying for the repeal of the law of last winter prohibiting the use of scrip-orders by manufacturers.

Which was referred to the committee on Manufactures and Commerce.

H. B. No. 796—Mr. Bohl—To authorize the Board of Education of Waterford township, Washington county, Ohio, to compromise with the defaulting Treasurer of said township—was read the third time.

On motion of Mr. Irvine, the further consideration of said bill was postponed until Wednesday next.

Mr. Sherrick moved that the consideration of H. B. No. 839 be postponed until Tuesday next.

Which was agreed to.

Mr. Johnston submitted the following report:

The standing committee on Judiciary, to whom was referred S. B. No. 290—To amend section one, chapter two, of division four, of title one of an act entitled an act to revise and consolidate the laws relating to civil procedure in Courts of Common Pleas and Superior Courts, in District Courts on appeal, and also the laws relating to procedure in

error, mandamus and quo warranto, passed May 14, 1878, (O. L., Vol. 75, p. 668)—having had the same under consideration, report back the following substitute therefor, and recommend the passage of the same.

SUBSTITUTE FOR S. B. NO. 290—MR. OWENS.

A bill to amend section one, chapter two, of division four, of title one of an act entitled an act to revise and consolidate the laws relating to civil procedure in Courts of Common Pleas and Superior Courts, in District Courts on appeal, and also the laws relating to procedure in error, mandamus and quo warranto, passed May 14, 1878, (O. L., Vol. 75, p. 668) :

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That section one, of chapter two, of division four, of title one of an act entitled an act to revise and consolidate the laws relating to civil procedure in Courts of Common Pleas and Superior Courts, in District Courts on appeal, and also the laws relating to procedure in error, mandamus and quo warranto, passed May 14, 1878, (O. L., Vol. 75, p. 668), be amended so as to read as follows :

SECTION 1. In all cases where all or a part of one or more of the causes of action are not put in issue by answer, judgment may be taken, as upon a default, for so much of the plaintiff's demand as is not put in issue by the answer, upon any or all of the causes of action, without prejudice to the rights of the plaintiff as to that portion of his demand disputed, and if in the determination of any cause the taking an account, proof of a fact, or the assessment of damages, is necessary, the court may take the account, hear the proof, or assess the damages, or may refer the case to a referee or master for such purpose, or direct the matter to be ascertained by a jury.

SECTION 2. That said section one be, and the same is hereby repealed, and that this act take effect and be in force from and after its passage.

W. T. FORREST, IRVINE DUNGAN,
J. R. JOHNSTON, G. M. SALTZGABER.

Said substitute was agreed to, ordered printed, and the bill was ordered to be engrossed and read the third time on Thursday next.

Mr. Saltzgaber, on leave, introduced the following bill, which was read the first time :

S. B. No. 320—To amend section five of chapter five, of division two, of title one of the code of civil procedure, passed May 11, 1878.

Mr. Dungan moved to take from the table H. B. No. 198.

Which was agreed to.

The question being on agreeing to the report of the committee on the Judiciary—

Mr. Johnston moved that the further consideration of said report be postponed until Thursday next.

Which was agreed to.

Mr. Marsh moved that when the Senate adjourns to-day, it be until 8 o'clock to-morrow morning.

Which was agreed to.

Mr. Carlisle, on leave, introduced the following bill, which was read the first time :

S. B. No. 321—To amend section five, chapter four, of the act May 5, 1877, entitled an act to amend, revise and consolidate the statutes relating to crimes and offenses, and to repeal certain acts therein named, to

be known as title one, crimes and offenses, part four of the act to revise and consolidate the general statutes of Ohio.

The President *pro tem.* appointed Messrs. Marsh, Wilson and Johnston as special committee in pursuance of S. R. No. 89.

On motion of Mr. Kelley, the Senate adjourned.

Attest:

ALLEN O. MYERS, *Clerk.*

FRIDAY, March 14, 1879—8 O'CLOCK A.M.

The Senate met pursuant to adjournment.

The Journal was read and approved.

Mr. Carson submitted the following report:

The standing committee on Finance, to whom was referred H. B. No. 586—To authorize the Commissioners of Shelby county to build one or more bridges within the limits of the villages of Newport and Berlin, in said county—having had the same under consideration, report it back without recommendation.

H. W. CURTISS,
J. SHERRICK,
J. C. FISHER,

THOS. M. BEER,
J. M. CARSON,
JOHN SEITZ.

Said bill was ordered to be engrossed and read the third time on Wednesday next

On demand of Mr. Benson, a call of the Senate was had.

Messrs. Armstrong, Beebe, Beer, Carlisle, Curtiss, Forrest, Grove, Howland, Irvine, Jackson of Clinton, Jackson of Perry, Johnston, Joy, Kelley, Krimmel, Lord, Marsh, McDonald, Parker, Richards, Sabine, Saltzgaber, Sherrick, Steedman, Stokes, Tyler, Wagener, Williams and Wilson were absent.

Mr. Seitz moved that the Senate adjourn.

Which was agreed to, and the President *pro tem.*, in pursuance of S. R. No. 70, declared the Senate adjourned until Tuesday next at 3 o'clock P.M.

Attest:

ALLEN O. MYERS, *Clerk.*

TUESDAY, March 18, 1879—3 O'CLOCK P.M.

The Senate met pursuant to adjournment.

The Journal was read and approved.

On demand of Mr. Richards, a call of the Senate was had.

Fourteen Senators answered to their names.

Messrs. Beebe, Beer, Benson, Fisher, Grove, Howland, Irvine, Jackson of Clinton, Johnston, Joy, Kelley, Krimmel, Lord, McDonald, Parker, Saltzgaber, Sherrick, Steedman, Tyler, Wagener and Williams were absent.

On motion of Mr. Richards, further proceedings under the call were dispensed with.

Mr. Forrest moved that the vote whereby further proceedings under the call was dispensed with be reconsidered.

Which was agreed to.

The question recurring on the motion to dispense with further proceedings under the call, the same was disagreed to.

On motion of Mr. Forrest, the Sergeant-at-Arms was dispatched for absentees.

Mr. Fisher having appeared within the bar of the Senate, and answered to his name—

On motion of Mr. Marsh, further proceedings under the call were dispensed with.

On motion of Mr. Marsh, the Senate adjourned.

Attest:

ALLEN O. MYERS, *Clerk.*

WEDNESDAY, *March* 19, 1879—10 O'CLOCK A.M.

The Senate met pursuant to adjournment.

Prayer by Rev. S. D. Hutsinpillar.

The Journal was read and approved.

Mr. Seitz presented the petition of Walter B. Richie and 85 other citizens of Crawford county, in favor of exempting from sale on execution the paraphernalia of secret benevolent societies.

Which was referred to the committee on Judiciary.

Mr. Curtiss presented the remonstrance of Theodore Breck and 25 other citizens of Bricksville, Cuyahoga county, against the passage of Foster's Infirmary Bill, and ask, should the bill pass, that the township of Bricksville be exempted from the territory to be taxed for such purpose.

Which was referred to the committee on Finance.

Mr. Curtiss presented the petition of H. F. Brayton and 65 other citizens of Cincinnati, Hamilton county, for the passage of S. B. No. 317, to amend the act of April 27, 1872, relating to insurance companies doing an insurance business in the State of Ohio.

Which was referred to the committee on Insurance.

Mr. Curtiss presented the petition of John H. Law and 66 other citizens of Cincinnati, Hamilton county, for the passage of S. B. No. 317, to amend the act of April 27, 1872, relating to insurance companies doing an insurance business in the State of Ohio.

Which was referred to the committee on Insurance.

Bills were read the second time and referred, as follows:

S. B. No. 320—Mr. Saltzgaber—To amend section five, of chapter five, of division two, of title one of the code of civil procedure, passed May 11, 1878, (Vol. 75, p. 610, O. L.)

Committee on Insurance.

S. B. No. 321—Mr. Carlisle—To amend section five, chapter four, of the act of May 5, 1877, entitled an act to amend, revise and consolidate the statutes relating to crimes and offenses, and to repeal certain acts therein named, to be known as title one, crimes and offenses, part four of the act to revise and consolidate the general statutes of Ohio, (Vol. 74, O. L., p. 248.)

Committee on the Judiciary.

H. B. No. 729—Mr. Sturgeon—To provide for the purchase of tents for Ohio National Guards—was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 23, nays 5, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Carlisle, Curtiss, Grove, Jackson of Clinton, Jackson of Perry, Joy, Kelley, Krimmel, Lord, Marsh, Owens, Richards, Sabine, Saltzgaber, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—23.

Those who voted in the negative were—

Messrs. Dungan, Fisher, Forrest, McDonald and Seitz—5.

So the bill passed. The title was agreed to.

Mr. Saltzgaber submitted the following report :

The committee on Revision has examined, and found correctly engrossed, H. B. No. 715.

G. M. SALTZGABER,
J. C. FISHER,
G. W. WILSON.

H. B. No 700 Mr. Conkright To authorize the town Council of the incorporated village of Richwood, Union county, Ohio, to transfer certain funds therein named—was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 26, nays none, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Carson, Curtiss, Dungan, Fisher, Grove, Jackson of Clinton, Jackson of Perry, Joy, Kelley, Krimmel, Lord, Marsh, McDonald, Owens, Richards, Sabine, Saltzgaber, Seitz, Steedman, Stokes, Tyler, Wagener, and Wilson—26.

So the bill passed. The title was agreed to.

H. B. No 774—Mr. Booth---To authorize the Trustees of Madison township, Franklin county, Ohio, to sell certain real estate—was read the third time.

Mr. Krimmel moved to refer the bill to a select committee of one, with instructions to amend as follows :

Strike out the word "fifteen," in line 3, of section 2, and insert in lieu thereof the word "ten."

Which was agreed to, and Mr. Krimmel was appointed such committee, and reported the bill back amended as instructed.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 21, nays none, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Carson, Curtiss, Dungan, Fisher, Grove, Jackson of Clinton, Jackson of Perry, Krimmel, Marsh, McDonald, Richards, Sabine, Saltzgaber, Seitz, Stokes, Tyler, Wagener and Wilson—21.

So the bill passed. The title was agreed to.

H. B. No. 586—Mr. Hume—To authorize the Commissioners of Shelby county to build one or more bridges within the limits of the villages of Newport and Berlin, in said county—was read the third time.

Mr. Grove moved to refer the bill to a select committee of one, with instructions to amend as follows :

Section 1, in line 3, strike out the word "lifting," and insert "swinging."

Which was agreed to, and Mr. Grove was appointed such committee, and reported the bill back amended as instructed.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 19, nays none, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Carson, Fisher, Grove, Jackson of Clinton, Jackson of Perry, Joy, McDonald, Owens, Richards, Sabine, Saltzgaber, Seitz, Stokes, Tyler, Wagener and Wilson—19.

So the bill passed. The title was agreed to.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The following bills have been introduced in the House of Representatives, and read the first time:

H. B. No. 891—Mr. Alexander—To amend section one of an act entitled an act to provide for the administration of property given for the promotion of science, art and like purposes, and to protect the same from waste, passed May 7, 1878, (O. L., Vol. 75, p. 135.)

H. B. No. 892—Mr. Alexander—Making appropriations to pay interest on the public debt, and the expenses of the Sinking Fund Commissioners.

H. B. No. 893—Mr. Alexander—Making appropriations for the support of the common schools.

H. B. No. 894—Mr. Alexander—Making appropriations for the fiscal year 1879, and the first quarter of the fiscal year 1880, payable out of the asylum fund.

H. B. No. 895—Mr. Dodds—To revise and codify the laws relating to the organization and maintenance of the militia of Ohio.

H. B. No. 896—Mr. McCoy of Lawrence—To amend an act entitled an act to punish certain offenses therein named, passed April 27, 1878.

H. B. No. 897—Mr. Dunham—To authorize the Trustees of Sandusky township, Sandusky county, Ohio, to issue bonds to the amount of twelve hundred dollars for the purpose of paying certain indebtedness of said township.

H. B. No. 898—Mr. White—To authorize the Agricultural Society of Franklin county to borrow money.

H. B. No. 899—Mr. Rimer—To authorize the creation of a special school district in Harrison township, Van Wert county, Ohio.

H. B. No. 900—Mr. Foster—To prevent incendiarism and fraud in insurance.

H. B. No. 901—Mr. Greene—To provide for the detention and punishment of persons charged with injuring bridges and other public property.

H. B. No. 902—Mr. Crosson—Supplementary to the several acts relating to the collection of delinquent taxes and assessments, and to amend the act passed April 11, 1876, (Vol. 73, p. 218).

H. B. No. 903—Mr. Greene—To amend the act of May 14, 1878, entitled an act to amend, revise and consolidate the statutes relating to municipal corporations, to be known as title twelve, part one of the act to revise and consolidate the general statutes of Ohio, (Vol. 75, p. 161).

H. B. No. 904—Mr. Mack—To amend section four of an act entitled an act to provide for the creation and regulation of corporate trade associations in the State of Ohio.

H. B. No. 905—Mr. Covert—Providing for holding church property by boards of trustees.

H. B. No. 906—Mr. Bohl—To amend section twenty-four of an act entitled an act for the relief of the poor, and to repeal certain acts therein named, passed April 12, 1876, (O. L., Vol. 73, p. 239), and amended February 23, 1877, (O. L., Vol. 74, p. 32), and to repeal section twenty-five of said act, (O. L., Vol. 76, p. 239).

H. B. No. 907—Mr. Bohl—Prescribing regulations for the transportation of petroleum, or other oils or liquids, through pipes of iron or other material constructed for that purpose.

H. B. No. 908—Mr. Carter—To authorize the Council of the incorporated village of Edgerton, in Williams county, to permanently transfer certain funds to pay indebtedness.

H. B. No. 909—Mr. Dunham—Authorizing the County Commissioners of Sandusky county, Ohio, to levy an additional tax for county and poor purposes.

H. B. No. 910—Mr. Kellogg—To authorize the Commissioners of Lucas county, Ohio, to clean out, straighten and deepen Swan Creek, Cedar Creek, Ottawa river (sometimes called Ten-Mile Run), and their tributaries within said county.

H. B. No. 911—Mr. Stubbs—To divide Gratis township, Preble county, into two voting precincts.

H. B. No. 912—Mr. Wright—To authorize cities of the first grade of the first class to exchange coupon bonds for registered bonds of said cities.

H. B. No. 913—Mr. Greene—To regulate the study of anatomy, and to prevent the traffic in human bodies.

H. B. No. 914—Mr. Wright—To amend section ten, chapter three of an act to amend, revise and consolidate the statutes relating to crimes and offenses, and to repeal certain acts therein named, to be known as title one, crimes and offenses, part four of the act to revise and consolidate the general statutes of Ohio.

H. B. No. 915—Mr. Hayman—To prevent fraud in the manufacture and sale of commercial fertilizers.

Attest :

L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The House of Representatives has passed the following bills, in which the concurrence of the Senate is requested :

H. B. No. 575—Mr. Poe—Supplementary to an act entitled an act supplementary to an act entitled an act supplementary to an act entitled an act to provide for the organization and government of municipal corporations, passed April 27, 1872, passed April 6, 1876.

H. B. No. 756—Mr. Luccock—To authorize the Commissioners of Guernsey county to build a Court-house.

Attest :

L. A. BRUNNER, *Clerk.*

Said bills were read the first time.

H. B. No. 429—Mr. Booth—To regulate the fees of county auditors, clerks of courts, probate judges, sheriffs, treasurers and recorders, and to repeal sections one, two three, five, six, eight, nine, eleven, sixteen, twenty-four, thirty-nine of an act entitled an act to regulate the fees of probate judges, clerks of the courts, sheriffs, witnesses, jurors, fees in partition, and to repeal certain acts therein named, passed April 18, 1876, (73, O. L., 127)—was read the third time.

Mr. Saltzgaber moved to refer the bill to a select committee of one, with instructions to amend as follows :

Add after section 9 : "provided, that this act shall not apply to officers already elected."

Pending which, Mr. Seitz moved that the Senate take a recess.

Which was disagreed to.

On demand of Mr. Seitz, a call of the Senate was had.

Twenty-three Senators answered to their names.

Messrs. Benson, Carlisle, Dungan, Howland, Irvine, Jackson of Perry, Johnston, Krimmel, Lord, Parker, Sherrick and Steedman were absent.

On motion of Mr. Curtiss, further proceedings under the call were dispensed with.

The question recurring on Mr. Saltzgaber's motion, to refer with instructions, the yeas and nays were demanded, taken, and resulted—yeas 17, nays 6, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Curtiss, Forrest, Grove, Jackson of Clinton, Joy, Kelley, Marsh, Owens, Sabine, Saltzgaber, Stokes, Tyler, Wagener, Williams and Wilson—17.

Those who voted in the negative were—

Messrs. Carson, Dungan, Fisher, McDonald, Richards and Seitz—6.

So the motion was agreed to, and Mr. Saltzgaber was appointed such committee, and reported the bill back amended as instructed.

Mr. Saltzgaber moved to refer the bill to a select committee of one, with instructions to amend as follows :

Strike out all of section 8, and insert as such section :

SEC. 8. That an act to reduce the fees and salaries of county officers, passed April 8, 1878, (O. L., Vol. 75, p. 103), and all acts and parts of acts inconsistent herewith are hereby repealed.

Which was agreed to, and Mr. Saltzgaber was appointed such committee, and reported the bill back amended as instructed.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 22, nays 1, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Carson, Curtiss, Dungan, Fisher, Forrest, Grove, Jackson of Clinton, Joy, Kelley, Marsh, McDonald, Owens, Richards, Saltzgaber, Seitz, Stokes, Tyler, Williams and Wilson—22.

Mr. Sabine voted in the negative.

So the bill passed.

Mr. Saltzgaber moved to amend the title by striking out all after the word "Recorder", in line 2, and inserting the words "and to repeal certain acts therein named."

Which was agreed to.

The title as amended was agreed to.

Mr. Saltzgaber submitted the following report :

The standing committee on Salaries and Fees of Public Officers, to whom was referred S. J. R. No. 55—Proposing the submission of an amendment to Article X. of the Constitution—having had the same under consideration, report it back, with the following amendments, and recommend its adoption when so amended :

1. In line 8, after "they", insert "and all deputies and assistants."
2. In line 10, strike out "including necessary clerk hire."

3. Strike out from the beginning of line 15, to "75,000" in line 34, inclusive, and insert the following: "and in counties having over twenty thousand, sixteen hundred dollars, and two dollars for each additional hundred inhabitants over twenty thousand; but in no case shall the compensation of any officer herein named exceed five thousand dollars per annum."

4. In lines 37 and 38, strike out "including necessary clerk hire."

5. In line 41, strike out "the treasurer of any such county shall", and the word "receive", in line 42.

6. After line 47, insert: "After ten days' notice in a newspaper of general circulation in the county, on application of any officer, approved by the county commissioners, the court of common pleas of such county, or a majority of the judges thereof, may, if the same is found necessary, authorize such officer to appoint one or more assistants or deputies, at such compensation, and for such term, not exceeding one year, as shall be fixed by the court or judges, and commissioners."

7. In line 49, strike out "as herein prescribed."

8. In line 51, after "officers," insert: "deputies and assistants."

G. M. SALTZGABER,	THEO. MARSH,
G. W. WILSON,	JAS. B. STEEDMAN,
JOHN SEITZ,	JOHN H. BENSON.

Said report was, on motion, laid on the table and ordered to be printed. On motion of Mr. Seitz, the Senate took a recess.

THREE O'CLOCK P.M.

On motion of Mr. Curtiss, the several petitions presented by him this forenoon, and which were referred to the committee on Insurance, were recalled from said committee and referred to the committee on Corporations other than Municipal.

H. B. No. 477—Mr. Hume—To authorize the sale of certain lands therein named—was read the third time.

On demand of Mr. Carson, a call of the Senate was had.

Twenty-two Senators answered to their names.

Messrs. Carlisle, Howland, Irvine, Johnston, Kelley, Krimmel, Lord, Marsh, McDonald, Parker, Sherrick, Steedman and Tyler were absent.

On motion of Mr. Carson, the Sergeant-at-Arms was dispatched for absentees.

Messrs. Lord, Marsh and Steedman having appeared within the bar of the Senate, and answered to their names—

On motion of Mr. Benson, further proceedings under the call were dispensed with.

Leave of absence was asked and obtained for Mr. Irvine.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 24, nays 1, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carson, Dungan, Fisher, Grove, Jackson of Clinton, Jackson of Perry, Joy, Lord, Marsh, Owens, Richards, Sabine, Saltzgaber, Seitz, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—24.

Mr. Forrest voted in the negative.

So the bill passed. The title was agreed to.

Mr. Richards moved that the vote whereby H. B. No. 429 was passed be reconsidered.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 11, nays 13, as follow :

Those who voted in the affirmative were—

Messrs. Beer, Dungan, Forrest, Jackson of Clinton, Jackson of Perry, Richards, Sabine, Seitz, Steedman, Tyler and Wagener—11.

Those who voted in the negative were—

Messrs. Armstrong, Beebe, Benson, Carson, Fisher, Grove, Joy, Lord, Marsh, Owens, Saltzgaber, Williams and Wilson—13.

So the motion was disagreed to.

H. B. No. 839—Mr. Hitchcock—Supplementary to an act to authorize township trustees of any township in this State to levy a tax for purchasing a hearse and erecting a vault, passed March 14, 1878, (Vol. 75, p. 46)—was read the third time.

Mr. Richards moved to refer the bill to a select committee of one, with instructions to amend as follows :

In line 6, strike out the word “two,” and insert in lieu thereof the word “four.”

Which was agreed to, and Mr. Richards was appointed such committee, and reported the bill back amended as instructed.

The question being “Shall the bill pass?” the yeas and nays were taken, and resulted—yeas 15, nays 10, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Carson, Grove, Jackson of Perry, Joy, Krimmel, Owens, Richards, Sabine, Steedman, Stokes, Tyler and Wagener—15.

Those who voted in the negative were—

Messrs. Dungan, Fisher, Forrest, Jackson of Clinton, Lord, McDonald, Saltzgaber, Seitz, Williams and Wilson - 10.

So the bill, having failed to receive a constitutional majority, was lost.

S. B. No. 263—Mr. Beebe—To amend an act entitled an act to amend section five of an act entitled an act making provisions for the incorporation of cemetery associations, passed February 24, 1848, amended and passed March 29, 1875, (O. L., Vol. 72, p. 113)—was read the third time.

The question being “Shall the bill pass?” the yeas and nays were taken, and resulted—yeas 26, nays none, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carson, Dungan, Fisher, Grove, Jackson of Clinton, Jackson of Perry, Joy, Kelley, Krimmel, Lord, Marsh, McDonald, Owens, Sabine, Saltzgaber, Seitz, Steedman, Stokes, Tyler, Wagener, Williams and Wilson - 26.

So the bill passed. The title was agreed to.

S. B. No. 303—Mr. Sabine—To authorize the Commissioners of Marion county to borrow money to pay an indebtedness of the Marion and Mansfield free turnpike road, and to levy and assess a tax for the payment thereof—was read the third time.

The question being “Shall the bill pass?” the yeas and nays were taken, and resulted—yeas 23, nays none, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carson, Fisher, Grove, Jackson of Clinton, Jackson of Perry, Joy, Kelley, Krimmel, Lord, Marsh, McDonald, Richards, Sabine, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—23.

So the bill passed. The title was agreed to.

S. B. No. 279—Mr. Wilson—To amend section one of an act entitled an act to fix the compensation of members of the General Assembly of the State of Ohio, (Swan & Sayler, p. 696—was read the third time.

Mr. Krimmel moved that the bill be laid on the table.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 4, nays 20, as follow :

Those who voted in the affirmative were—

Messrs. Carson, Grove, Jackson of Perry and Krimmel—4.

Those who voted in the negative were—

Messrs. Beebe, Beer, Benson, Fisher, Forrest, Jackson of Clinton, Kelley, Lord, Marsh, McDonald, Owens, Richards, Sabine, Saltzgaber, Seitz, Steedman, Stokes, Wagener, Williams and Wilson—20.

So the motion was disagreed to.

Mr. Saltzgaber moved to refer the bill to a select committee of one, with instructions to amend as follows :

After the word "term", in line 6, insert: "payable at such time as requested by a member, not exceeding the sum of one hundred and fifty dollars in any one month."

Mr. Seitz moved to amend the instructions by striking out the words "and fifty."

Which was disagreed to.

The question recurring on Mr. Saltzgaber's motion, the same was agreed to, and Mr. Saltzgaber was appointed such committee, and reported the bill back amended as instructed.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 20, nays 6, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carson, Dungan, Fisher, Forrest, Jackson of Clinton, Joy, Lord, Richards, Sabine, Saltzgaber, Seitz, Steedman, Stokes, Tyler, Williams and Wilson—20.

Those who voted in the negative were—

Messrs. Grove, Jackson of Perry, Krimmel, Marsh, McDonald and Owens—6.

So the bill passed. The title was agreed to.

Mr. Krimmel submitted the following report :

The joint committee on Enrollment has examined, and found correctly enrolled, the following bills :

H. B. No. 729—To provide for the purchase of tents for Ohio National Guards.

H. B. No. 700—To authorize the town Council of the incorporated village of Richwood, Union county, Ohio, to transfer certain funds therein named.

H. B. No. 745—To authorize the Commissioners of the counties of Putnam, Wood and Henry to levy a tax to pay certain fees therein named.

C. F. KRIMMEL,
R. G. RICHARDS,
DUNCAN DOW,
A. D. MARSH,

WM. JESSUP,
E. S. PERKINS,
C. R. HARMON,
F. M. CARTER.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The Speaker of the House of Representatives has, in the presence of the House, signed the following bills:

H. B. No. 745—Mr. Brown of Putnam—To authorize the Commissioners of the counties of Putnam, Wood and Henry to levy a tax to pay certain fees therein named.

H. B. No. 700—Mr. Conkright To authorize the town Council of the incorporated village of Richwood, Union county, Ohio, to transfer certain funds therein named.

H. B. No. 729—Mr. Sturgeon—To provide for the purchase of tents for the Ohio National Guards.

Attest:

L. A. BRUNNER, *Clerk.*

The President, in presence of the Senate, signed said bills.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has concurred in the passage of the following bill:

S. B. No. 208—Mr. Sherrick—To amend section twenty-eight of an act entitled an act relating to roads and highways, as amended March 28, 1878, (O. L., Vol. 75, p. 83)—with the following amendment, in which the concurrence of the Senate is requested:

In section 28, line 21, strike out "forty," and insert in lieu thereof "thirty-five."

Attest:

L. A. BRUNNER, *Clerk.*

On motion of Mr. Forrest, said bill and amendment were laid on the table.

Mr. Steedman, on leave, introduced the following bill, which was read the first time:

S. B. No. 322—To amend section four of an act entitled an act defining the powers and prescribing the duties of the Board of Public Works, (Vol. 75, p. 584, Laws of 1878.)

Mr. Saltzgaber moved that the vote whereby the report of the committee on Fees and Salaries on S. J. R. No. 55, was laid on the table and ordered printed, be reconsidered.

Which was agreed to.

The question being on agreeing to the report of the committee on said S. J. R. No. 55, the same was agreed to.

On motion of Mr. Saltzgaber, said joint resolution was laid on the table and ordered to be printed.

Mr. Benson asked and obtained leave to have his vote recorded on the passage of H. B. No. 429, and his name being called, he voted "aye."

The following bills were introduced, and read the first time:

S. B. No. 323—Mr. Beebe—To authorize the Commissioners of Summit county to transfer certain funds.

S. B. No. 324—Mr. Jackson of Perry—To authorize the Trustees of Pike township, Perry county, Ohio, to transfer certain funds therein named.

S. B. No. 325—Mr. Steedman—To change the fourth judicial district, and to establish a tenth judicial district, and the sub-divisions thereof.

S. B. No. 326—Mr. Dungan—To establish Courts of Conciliation in each of the counties of this State, and defining the duties thereof.

Mr. Carson submitted the following report:

The committee on Revision has examined, and found correctly engrossed, H. B. No. 774.

G. M. SALTZGABER,
J. M. CARSON.

Mr. Fisher submitted the following report:

The committee on Revision has examined, and found correctly engrossed, H. B. No. 586.

G. M. SALTZGABER,
J. M. CARSON,
J. C. FISHER.

Mr. Lord moved that S. B. No. 209 be taken from the table.

Which was agreed to.

On motion of Mr. Lord, said bill was made the special order for Friday next, at 10 o'clock A.M.

Mr. Beer submitted the following report:

The standing committee on Common Schools and School Lands, to whom was referred H. B. No. 802—To authorize the Board of Education of Union School District of the incorporated village of Lorain, in Lorain county, Ohio, to levy additional school tax in said school district—having had the same under consideration, report it back, and recommend its passage.

J. M. CARSON,	G. A. GROVE.
R. G. RICHARDS,	THOS. M. BEER,
D. WAGENER,	C. F. KRIMMEL.
H. C. LORD,	

Said bill was ordered to be engrossed and read the third time to-morrow. On motion of Mr. Joy, the Senate adjourned.

Attest:

ALLEN O. MYERS, *Clerk.*

THURSDAY, *March* 20, 1879—10 o'clock A.M.

The Senate met pursuant to adjournment.

Prayer by Rev. Henry Witham.

The Journal was read and approved.

Mr. Fisher presented the remonstrance of members of the Board of Trade, of Uhrichsville and Dennison, citizens of Tuscarawas county, against the passage of S. B. No. 313, relating to procedure before Justices of the Peace and Mayors.

Which was referred to the committee on Judiciary.

Mr. Richards submitted the following report:

The joint committee on Enrollment has examined, and found correctly enrolled, the following bills:

H. B. No. 822—To authorize the Board of Education of Perry township, Lawrence county, to levy a tax to pay the indebtedness of said township incurred in the erection of school-houses.

H. B. No. 778—For the relief of the official surities of Lewis Myers, late Treasurer of Auglaize county, State of Ohio.

R. G. RICHARDS,	WM. JESSUP,
IRVINE DUNGAN,	F. M. CARTER,
DUNCAN DOW,	E. S. PERKINS.

Mr. Fisher submitted the following report :

The committee on Revision have examined, and found correctly engrossed, the Senate amendments to H. B. No. 429, and S. B. No. 279.

G. M. SALTZGABER,
J. C. FISHER,
G. W. WILSON.

Mr. Marsh submitted the following report :

The standing committee on Municipal Corporations, to whom was referred H. B. No. 651—To amend an act entitled an act to require inn and boarding-house keepers to provide suitable and sufficient fire escapes, passed May 5, 1877, (O. L., Vol. 74, p. 176)—having had the same under consideration, report it back, and recommend its passage.

THEO. MARSH,	G. W. WILSON,
JAS. B. STEEDMAN,	G. M. SALTZGABER,
R. G. RICHARDS,	G. A. GROVE.

Said bill was ordered to be engrossed and read the third time now, and was then read.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 25, nays none, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Carson, Dungan, Fisher, Forrest, Grove, Jackson of Perry, Joy, Kelley, Lord, Marsh, Parker, Richards, Saltzgaber, Seitz, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—25.

So the bill passed. The title was agreed to.

Bills were read the second time and referred, as follows :

H. B. No. 575—Mr. Poe—Supplementary to an act entitled an act supplementary to an act entitled an act supplementary to an act entitled an act to provide for the organization and government of municipal corporations, passed April 27, 1872, passed April 6, 1876.

Select committee of one—Mr. Curtiss.

H. B. No. 756—Mr. Luccock—To authorize the Commissioners of Guernsey county to build a Court-house.

Committee on Corporations other than Municipal.

S. B. No. 323—Mr. Beebe—To authorize the Commissioners of Summit county to transfer certain funds.

Committee on Municipal Corporations.

S. B. No. 324—Mr. Jackson of Perry—To authorize the Trustees of Pike township, Perry county, Ohio, to transfer certain funds therein named.

Committee on the Judiciary.

S. B. No. 325—Mr. Steedman—To change the fourth judicial district, and to establish a tenth judicial district, and the sub-divisions thereof.

Select committee of three—Messrs. Steedman, Parker and Curtiss.

H. B. No. 53—Mr. Reed of Ross—To amend section one of an act passed March 27, 1875, (O. L., Vol. 72, p. 85), entitled an act to amend section one of an act entitled an act to fix the rates of toll on turnpikes and plank-road companies, passed March 16, 1875, (S. & S., p. 147)—was read the third time.

On motion of Mr. McDonald, the consideration of said bill was postponed until this afternoon.

H. B. No. 802 — Mr. Herrick—To authorize the Board of Education of Union School District of the incorporated village of Lorain, in Lorain county, Ohio, to levy additional school tax in said school district—was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 22, nays none, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Carlisle, Fisher, Forrest, Irvine, Jackson of Perry, Joy, Kelley, Lord, Marsh, McDonald, Owens, Parker, Richards, Sabine, Steedman, Tyler, Wagener, Williams and Wilson—22.

So the bill passed. The title was agreed to.

S. B. No. 291—Mr. Owens—To divide the township of Union, county of Licking, into two election precincts—was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 23, nays 4, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Fisher, Grove, Irvine, Jackson of Perry, Joy, Kelley, Krimmel, Lord, Marsh, McDonald, Owens, Parker, Richards, Sabine, Steedman, Stokes, Tyler and Wagener—23.

Those who voted in the negative were—

Messrs. Carson, Forrest, Saltzgaber and Seitz—4.

So the bill passed. The title was agreed to.

Mr. Carlisle asked and obtained leave to have his vote recorded on H. B. No. 429, and his name being called, he voted "aye."

Substitute for S. B. No. 290—Mr. Owens—To amend section one, chapter two, of division four, of title one of an act entitled an act to revise and consolidate the laws relating to civil procedure in Courts of Common Pleas and Superior Courts, in District Courts on appeal, and also the laws relating to procedure in error, mandamus and quo warranto, passed May 14, 1878, (O. L., Vol. 75, p. 668.) — was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 26, nays none, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Carson, Dungan, Fisher, Forrest, Grove, Kelley, Krimmel, Lord, Marsh, Owens, Parker, Richards, Sabine, Saltzgaber, Seitz, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—26.

So the bill passed. The title was agreed to.

The Senate then proceeded to consider—

H. B. No. 198 — Mr. Dodds—To amend section one of an act entitled an act concerning Notaries Public and Commissioners, and prescribing their duties, passed March 13, 1856, (S. & C., p. 872.)

The question being on the adoption of the report of the Judiciary committee, to indefinitely postpone.

Pending which, on motion of Mr. Seitz, the Senate took a recess.

THREE O'CLOCK P.M.

When the Senate took a recess, it had under consideration the report of the Judiciary committee on H. B. No. 198, recommending its indefinite postponement, on which the yeas and nays were demanded, taken, and resulted—yeas 6, nays 20, as follow :

Those who voted in the affirmative were—

Messrs. Forrest, Grove, Krimmel, Saltzgaber, Seitz and Stokes—6.

Those who voted in the negative were—

Messrs. Armstrong, Beebe, Beer, Carlisle, Curtiss, Dungan, Fisher, Jackson of Perry, Johnston, Joy, Kelley, Lord, McDonald, Owens, Parker, Richards, Sabine, Steedman, Tyler and Wilson—20.

So the report was disagreed to.

Said bill was then ordered to be engrossed and read the third time now, and was then read.

The question being “Shall the bill pass?” the yeas and nays were taken, and resulted—yeas 19, nays 8, as follow :

Those who voted in the affirmative were—

Messrs. Beebe, Beer, Carlisle, Curtiss, Dungan, Fisher, Irvine, Jackson of Perry, Johnston, Joy, Kelley, Lord, Owens, Parker, Richards, Sabine, Steedman, Tyler and Wagener—19.

Those who voted in the negative were—

Messrs. Carson, Forrest, Grove, Krimmel, Marsh, Saltzgaber, Seitz and Stokes—8.

So the bill passed. The title was agreed to.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The Speaker of the House of Representatives has, in the presence of the House, signed the following bills :

H. B. No. 822—Mr. McCoy of Lawrence—To authorize the Board of Education of Perry township, Lawrence county, to levy a tax to pay the indebtedness of said township incurred in the erection of school-houses.

H. B. No. 778—Mr. Sawyer For the relief of the official sureties of Lewis Myers, late Treasurer of Auglaize county, State of Ohio.

Attest : L. A. BRUNNER, *Clerk.*

The President, in presence of the Senate, signed said bills.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The House of Representatives has passed the following bill, in which the concurrence of the Senate is requested :

H. B. No. 817—Mr. Levering—To amend section one of an act relating to incorporated villages, which by the federal census of 1870 had, and which by any subsequent federal census may have a population of one thousand and eight-seven, passed and took effect April 16, 1878, (O. L., Vol. 75, pp. 110–111).

Attest : L. A. BRUNNER, *Clerk.*

Said bill was read the first time.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The House of Representatives has concurred in Senate amendments to the following bills :

H. B. No. 477—Mr. Hume -To authorize the sale of certain lands therein named.

H. B. No. 774—Mr. Booth—To authorize the Trustees of Madison township, Franklin county, Ohio, to sell certain real estate.

H. B. No. 586—Mr. Hume—To authorize the Commissioners of Shelby county to build one or more bridges within the limits of the villages of Newport and Berlin, in said county.

Attest:

L. A. BRUNNER, *Clerk*.

Mr. Carlisle moved to take from the table S. J. R. No. 83.

Which was agreed to.

The question being on concurring in the House amendment to said joint resolution, the yeas and nays were taken, and resulted—yeas 8, nays 22, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beer, Carson, Dungan, Fisher, Kelley, Saltzgaber and Seitz—8.

Those who voted in the negative were—

Messrs. Beebe, Carlisle, Curtiss, Forrest, Grove, Irvine, Jackson of Perry, Johnston, Joy, Krimmel, Lord, Marsh, McDonald, Owens, Parker, Richards, Sabine, Steedman, Tyler, Wagener, Williams and Wilson—22.

So the Senate refused to concur in said House amendment.

Mr. Carlisle moved that a committee of Conference be appointed on the differences between the two Houses on said joint resolution.

Which was agreed to, and the President appointed Messrs. Carlisle, Krimmel and Johnston as such committee on part of the Senate.

Mr. Steedman, on leave, introduced the following bill, which was read the first time :

S. B. No. 327—To amend the act of May 14, 1878, entitled an act to amend, revise and consolidate the statutes relating to municipal corporations, to be known as title twelve, part one of the act to revise and consolidate the general statutes of Ohio, (Vol. 75, O. L., p. 161.)

Mr. Steedman presented the petition of 180 citizens of Paulding county, for the construction of a culvert under the Miami and Erie canal, to drain lands.

Which was referred to the committee on Public Works.

Mr. Carlisle submitted the following report :

The standing committee on Roads and Highways, to whom was referred H. B. No. 458—To authorize the Commissioners of Scioto county to purchase toll-roads, and levy tax to pay for same—having had the same under consideration, report it back, with the following amendment, and recommend its passage when so amended :

Add to section 1: "And the Court of Common Pleas of said county, upon application of the commissioners of said county, is authorized to name and appoint three disinterested freeholders of said county, whose duty it shall be to view such part of said turnpike road as lies within said county, to ascertain its value, and to negotiate with the proper parties for its purchase, and report the result of said negotiation to said commissioners, for their approval or rejection."

J. C. McDONALD,

J. B. WILLIAMS,

C. S. PARKER,

J. A. BENSON,

LINDSEY KELLEY,

B. W. CARLISLE.

Said amendment was agreed to, and the bill was ordered to be engrossed and read the third time to-morrow.

Mr. Richards moved that the vote whereby H. B. No. 839 was lost be reconsidered.

Which was agreed to.

On motion of Mr. Richards, a message was directed to be sent to the House, requesting the return of said bill.

Mr. Dungan moved to take from the table S. J. R. No. 55.

Which was agreed to.

The question being on the adoption of said joint resolution—

Mr. Forrest moved to amend as follows:

In line 23, strike out the words "one hundred," and insert in lieu thereof "one hundred and fifty."

Mr. Saltzgaber moved to substitute for said amendment the following:

Insert after the word "sheriff", in line 10, the word "treasurer."

Strike out all of the words and matter in line 19, to the word "law", in line 25, inclusive.

Which was agreed to.

Mr. Johnston moved to amend said joint resolution as follows:

In line 9, after the word "exceed", insert the following: "in any one year"; and after the word "collected," in the same line, insert the following: "for and in behalf of such office for said year."

Which was agreed to.

Mr. Wilson moved to amend said joint resolution as follows:

In line 36, after the word "officers", insert: "assistants and deputies."

Which was agreed to.

Mr. Richards moved to amend said joint resolution as follows:

Insert after the word "where", in line 7, the words "a salary, allowance, or."

Which was agreed to.

Mr. Forrest moved to amend said joint resolution as follows:

In line 9, before the word "fees", insert: "a salary, allowance, or."

Which was disagreed to.

Mr. Forrest moved to amend said joint resolution as follows:

In line 16, after the word "annum," insert: "except that in the county of Hamilton, the compensation of the treasurer shall not exceed seven thousand dollars per annum."

On which motion the yeas and nays were demanded, taken, and resulted—yeas 19, nays 8, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Carlisle, Curtiss, Fisher, Forrest, Grove, Johnston, Kelley, Krimmel, Marsh, McDonald, Owens, Parker, Saltzgaber, Seitz, Steedman, Stokes, Williams and Wilson—19.

Those who voted in the negative were—

Messrs. Beer, Carson, Dungan, Jackson of Perry, Joy, Richards, Sabine and Wagener—8.

So the motion was agreed to.

Mr. Seitz moved to reconsider the vote whereby the amendment of Mr. Richards was agreed to.

Which was agreed to.

The question recurring on Mr. Richards' motion to amend—

The same was disagreed to.

Mr. Curtiss moved that said joint resolution, as amended, be laid on the table and ordered to be printed in advance of other matter.

Which was agreed to.

On motion of Mr. Carlisle, the Senate adjourned.

Attest:

ALLEN O. MYERS, *Clerk*.

FRIDAY, *March* 21, 1879—10 o'clock A.M.

The Senate met pursuant to adjournment.

Prayer by Rev. S. D. Hutsinpillar.

The Journal was read and approved.

Mr. Williams presented the petition of E. E. Decker and 75 other guards of the Ohio Penitentiary, praying for the passage of a law allowing guards two days vacation in each month.

Which was referred to the committee on Penitentiary

Mr. Curtiss presented the petition of George Nokes and 157 other citizens of Middleburgh, Cuyahoga county, asking for the passage of Foster's Infirmary Bill.

Which was referred to the committee on Finance.

Mr. Dungan submitted the following report:

The joint committee on Enrollment has examined, and found correctly enrolled, the following bill:

H. B. No. 651—To amend section two of an act entitled an act to require inn and boarding-house keepers to provide suitable and sufficient fire-escapes, passed May 5, 1877, (O. L., Vol. 74, p. 176.)

IRVINE DUNGAN,	C. R. HARMON,
J. W. WASHBURN,	E. S. PERKINS,
WM. JESSUP,	J. R. JOHNSTON,
F. M. CARTER,	R. G. RICHARDS.
DUNCAN DOW,	

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The Speaker of the House of Representatives has, in the presence of the House, signed the following bill:

H. B. No. 651—Mr. Bohl—To amend section two of an act entitled an act to require inn and boarding-house keepers to provide suitable and sufficient fire-escapes, passed May 5, 1877, (O. L., Vol. 74, p. 176.)

Attest:

L. A. BRUNNER, *Clerk.*

The President, in presence of the Senate, signed said bill.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bills, in which the concurrence of the Senate is requested:

Substitute for H. B. No. 683—Mr. Booth—Supplementary to an act entitled an act to revise and consolidate the laws relating to procedure in the Probate Court, passed May 7, 1878, and took effect September 1, 1878.

H. B. No. 706—Mr. Townsend—Supplementary to an act entitled an act for the reorganization and maintenance of common schools," passed May 1, 1873, (Sayler's Statutes, p. 3028), and to extend the time for lessees of section sixteen to comply with sections one hundred and forty-three and one hundred and forty-four of said act, who have complied with all provisions of said act except said sections.

Attest:

L. A. BRUNNER, *Clerk.*

Said bills were read the first time.

The Senate then proceeded to consider the special order of the hour, viz.:

S. B. No. 209 - Mr. Lord—To amend an act entitled an act to provide for the creation and regulation of incorporated companies in the State of Ohio, passed May, 1, 1852, (Vol. 50, statutes, 274; Swan & Crithfield, Vol. 1, p. 271).

Said bill was read the third time.

Mr. Johnston moved that said bill be laid on the table.

Which was agreed to.

Bills were read the second time and referred, as follows:

H. B. No. 817—Mr. Levering—To amend section one of an act relating to incorporated villages, which by the federal census of 1870 had, and which by any subsequent federal census may have a population of one thousand and eighty-seven, passed and took effect April 16, 1878, (O. L., Vol. 75, pp. 110-111).

Committee on Municipal Corporations.

S. B. No. 322—Mr. Steedman—To amend section four of an act entitled an act defining the powers and prescribing the duties of the Board of Public Works, (Vol. 75, p. 584, Laws of 1878).

Committee on Public Works and Public Lands.

S. B. No. 326 Mr Dungan To establish Courts of Conciliation in each of the counties of this State, and defining the duties thereof.

Committee on Mines and Mining.

S. B. No. 327—Mr. Steedman—To amend the act of May 14, 1878, entitled an act to amend, revise and consolidate the statutes relating to municipal corporations, to be known as title twelve, part one of the act to revise and consolidate the general statutes of Ohio, (Vol. 75, O. L., p. 161).

Committee on Public Works and Public Lands.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has adopted the following joint resolution, in which the concurrence of the Senate is requested:

H. J. R. No. 104—Mr. Hostetter—Authorizing the Governor to execute a deed to John Ford, assignee of William Moore.

Attest:

L. A. BRUNNER, *Clerk*.

On motion of Mr. Carson, said joint resolution was referred to the committee on Finance.

H. B. No. 458—Mr. Hayman—To authorize the Commissioners of Scioto county to purchase toll-road, and levy tax to pay for same . was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted - yeas 27, nays none, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Beer, Carlisle, Carson, Curtiss, Dungan, Fisher, Forrest, Grove, Jackson of Clinton, Jackson of Perry, Johnston, Kelley, Krimmel, Lord, Marsh, McDonald, Owens, Richards, Sabine, Saltzgaber, Seitz, Steedman, Stokes, Tyler, Wagener and Williams—37.

So the bill passed. The title was agreed to.

On motion of Mr. Carson, the Senate took a recess.

THREE O'CLOCK P.M.

The following bill was introduced, and read the first time :

S. B. No. 328—Mr. Curtiss—To amend section two, chapter four, page 467 of the act to revise and consolidate the statutes of Ohio.

Mr. Johnston submitted the following report :

The standing committee on Corporations other than Municipal, to whom was referred S. B. No. 317—To amend the act of April 27, 1872, entitled an act to regulate insurance companies doing an insurance business in the State of Ohio, (Vol. 69, p. 140)—having had the same under consideration, report it back, with the following amendment, and recommend its passage when so amended:

In line 24, strike out the words "inspect and."

IRVINE DUNGAN,

R. G. RICHARDS,

J. M. ARMSTRONG,

LYMAN J. JACKSON,

J. R. JOHNSTON.

Said amendment was agreed to, and the bill was ordered to be engrossed and read the third time to-morrow.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has concurred in the passage of the following bill:

S. B. No. 275—Mr. Grove—To authorize the election of one additional Judge of the Court of Common Pleas in the first sub-division of the second judicial district of Ohio—with the following amendments, in which the concurrence of the Senate is requested :

In section 2, line 1, strike out the word "first."

In section 2, line 3, strike out the word "thereafter," and insert the following words and figures: "1879, and shall continue five years."

In section 3, line 2, strike out the word "ffteen," and insert the word "eight."

In section 4, line 2, strike out the word "so."

In section 4, strike out all after the word "shall", in line 3, and before the word "and", in line 5, and insert the following words: "have the same powers and jurisdiction, and be liable to the same penalties, that are now or may hereafter be conferred and enjoined by the Constitution and laws of this State upon other judges of said court."

Attest :

L. A. BRUNNER, *Clerk.*

The question being on concurring in said House amendment the yeas and nays were demanded, taken, and resulted—yeas 27, nays none, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beer, Benson, Carlisle, Carson, Curtiss, Dungan, Fisher, Forrest, Grove, Irvine, Jackson of Clinton, Jackson of Perry, Johnston, Joy, Kelley, Krimmel, Lord, Marsh, McDonald, Sabine, Saltzgaber, Steedman, Stokes, Tyler, Williams and Wilson—27.

So the Senate concurred in said House amendments.

Mr. Forrest submitted the following report :

The standing committee on Judiciary, to whom was referred S. B. No. 324—To authorize the Trustees of Pike township, Perry county, Ohio, to

transfer certain funds therein named—having had the same under consideration, report it back, and recommend its passage.

G. M. SALTZGABER,	LYMAN J. JACKSON,
W. P. HOWLAND,	IRVINE DUNGAN,
J. R. JOHNSTON,	W. T. FORREST.

Said bill was ordered to be engrossed and read the third time now, and was then read.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 29, nays none, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beer, Benson, Carlisle, Carson, Curtiss, Dungan, Fisher, Forrest, Grove, Howland, Irvine, Jackson of Clinton, Jackson of Perry, Johnston, Joy, Kelley, Krimmel, Lord, Marsh, McDonald, Owens, Saltzgaber, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—29.

So the bill passed. The title was agreed to.

Mr. Forrest submitted the following report :

The standing committee on Judiciary, to whom was referred S. B. No. 241—To amend section six, chapter five, title two of an act entitled an act to amend, revise and consolidate the statutes relating to criminal procedure, (O. L., Vol. 74, p. 340)—having had the same under consideration, report it back, and recommend that the Senate do not concur in the House amendments, and that a committee of Conference be appointed to adjust the differences between the two Houses in relation to said bill.

W. T. FORREST,	G. M. SALTZGABER,
IRVINE DUNGAN,	J. R. JOHNSTON.

Said report was agreed to, and the President appointed Messrs. Forrest, Tyler and Curtiss as such committee on part of the Senate.

Mr. Forrest submitted the following report :

The standing committee on Judiciary, to whom was referred H. B. No. 738—For the relief of G. W. Drake—having had the same under consideration, report it back, and recommend its passage.

W. T. FORREST,	IRVINE DUNGAN,
LYMAN J. JACKSON,	G. M. SALTZGABER.
J. R. JOHNSTON,	

Said bill was ordered to be engrossed and read the third time now, and was then read.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 27, nays 1, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beer, Benson, Carlisle, Carson, Curtiss, Dungan, Fisher, Forrest, Grove, Howland, Irvine, Jackson of Clinton, Jackson of Perry, Johnston, Joy, Krimmel, Marsh, McDonald, Richards, Sabine, Saltzgaber, Steedman, Stokes, Tyler, Wagener and Wilson—27.

Mr. Owens voted in the negative.

So the bill passed. The title was agreed to.

Mr. Forrest submitted the following report :

The standing committee on Judiciary, to whom was referred S. B. No. 226—To amend section two of an act supplementary to an act to preserve the purity of election, passed May 5, 1868—having had the same under consideration, report it back, and recommend its indefinite postponement,

for the reason that the provisions of the bill have been incorporated in the code which will be recommended by the committee.

L. J. JACKSON, G. M. SALTZGABER,
W. T. FORREST, IRVINE DUNGAN.

Said report was agreed to.

Mr. Forrest submitted the following report :

The standing committee on Judiciary, to whom was referred S. B. No. 301—To amend section ten of an act relating to crimes against persons — having had the same under consideration, report it back without recommendation.

W. T. FORREST, LYMAN J. JACKSON,
IRVINE DUNGAN, J. R. JOHNSTON,
G. M. SALTZGABER, D. WAGENER.

Said bill was ordered to be engrossed and read the third time to-morrow.

Mr. Marsh submitted the following report :

The standing committee on Municipal Corporations, to whom was referred H. B. No. 821—Authorizing the Council of the village of Milford to transfer certain funds—having had the same under consideration, report it back, and recommend its passage.

THEO. MARSH, JAS. B. STEEDMAN,
R. G. RICHARDS, G. W. WILSON.
G. A. GROVE,

Said bill was ordered to be engrossed and read the third time to-morrow.

Mr. Marsh submitted the following report :

The standing committee on Municipal Corporations, to whom was referred H. B. No. 692—To authorize the Council of the incorporated village of Kenton, in Hardin county, to issue bonds—having had the same under consideration, report it back, and recommend its passage.

THEO. MARSH, G. A. GROVE,
G. W. WILSON, G. M. SALTZGABER.
R. G. RICHARDS,

Said bill was ordered to be engrossed and read the third time now, and was then read.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 29, nays none, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beer, Benson, Carson, Curtiss, Dungan, Fisher, Grove, Howland, Irvine, Jackson of Clinton, Johnston, Joy, Kelley, Krimmel, Lord, Marsh, McDonald, Owens, Parker, Richards, Sabine, Seitz, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—29.

So the bill passed. The title was agreed to.

Mr. Richards submitted the following report :

The standing committee on Municipal Corporations, to whom was referred S. B. No. 318—To authorize the incorporated village of Salem, Columbiana county, Ohio, to levy a tax to improve the streets of said village —having had the same under consideration, report it back, with the following amendment, and recommend its passage when so amended :

From line 2, section 1, strike out the words "said incorporated village", and insert in their stead the words "the village of Salem, Columbiana county."

G. W. WILSON, R. G. RICHARDS,
LYMAN J. JACKSON, THEO. MARSH.

Said amendment was agreed to, and the bill was ordered to be engrossed and read the third time to-morrow.

Mr. Howland submitted the following report:

The standing committee on Public Works, to whom was referred S. B. No. 277—Granting right of way over certain lands belonging to the State of Ohio, and over Miami and Erie canal in the city of Toledo, to the Toledo and Grand Rapids Railroad Company—having had the same under consideration, report it back, with the following amendments, and recommend its passage when so amended:

Strike out all of section 1, after the enacting clause, and insert the following: That the Board of Public Works be, and they are hereby authorized to lease or grant and convey by deed to the Toledo and Grand Rapids Railroad Company and its successors, the right to construct, maintain and operate a railroad on and over the lands belonging to the State, situate within the corporate limits of the city of Toledo. Said grant or lease shall include only such amount of said land, and be of and over such part thereof, upon such terms and for such consideration as said board shall determine will be for the best interest of the State, and fully compensate it; but said road shall be constructed upon such part of said real estate, and over said canal at such a point, as will not injure the public works, or interfere with hydraulic power or navigation.

Amend title by substituting the following:

To authorize the Board of Public Works to lease or grant right to construct and maintain a railroad on and over lands of the State, to Toledo and Grand Rapids Railroad Company.

W. P. HOWLAND,	G. A. GROVE,
G. W. WILSON,	H. C. LORD,
JAS. B. STEEDMAN,	LYMAN J. JACKSON.

Said amendments were agreed to, and the bill was ordered to be engrossed and read the third time to-morrow.

Mr. Lord submitted the following report:

The standing committee on Common Schools and School Lands, to whom was referred S. B. No. 268—To create a special school district in Upper township, Lawrence county—having had the same under consideration, report it back, and recommend its indefinite postponement.

C. F. KRIMMEL,	R. G. RICHARDS,
J. M. CARSON,	G. A. GROVE.
H. C. LORD,	

Said report was agreed to.

Mr. Carson submitted the following report:

The standing committee on Common Schools and School Lands, to whom was referred H. B. No. 763—To amend section one of an act to authorize the creation of a special school district in Canaan township, Morrow county—having had the same under consideration, report it back, and recommend its passage.

THOS. M. BEER,	J. M. CARSON,
G. A. GROVE,	H. C. LORD.

Said bill was ordered to be engrossed and read the third time to-morrow.

Mr. Richards submitted the following report:

The standing committee on Common Schools and School Lands, to whom was referred H. B. No. 731—To authorize the Board of Education

of Concord township, Champaign county, to levy a tax, and issue bonds in anticipation of the collection thereof, for the purpose of purchasing a site, and erecting a school-house thereon, in joint sub-district No. 1 of Concord and Mad River townships—having had the same under consideration, report it back, and recommend its passage.

R. G. RICHARDS, C. F. KRIMMEL,
J. M. CARSON, H. C. LORD.

Said bill was ordered to be engrossed and read the third time now, and was then read.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 29, nays none, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Beer, Benson, Carlisle, Carson, Curtiss, Dungan, Fisher, Forrest, Grove, Howland, Irvine, Jackson of Clinton, Johnston, Kelley, Krimmel, Lord, Marsh, McDonald, Owens, Parker, Richards, Sabine, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—29.

So the bill passed. The title was agreed to.

Mr. Johnston submitted the following report:

The joint committee on Enrollment has examined, and found correctly enrolled, the following bills:

H. B. No. 477 To authorize the sale of certain lands therein named.

H. B. No. 586—To authorize the Commissioners of Shelby county to build one or more bridges within the limits of the villages of Newport and Berlin, in said county.

H. B. No. 774—To authorize the Trustees of Madison township, Franklin county, Ohio, to sell certain real estate.

H. B. No. 802—To authorize the Board of Education of Union School District of the incorporated village of Lorain, in Lorain county, Ohio, to levy additional school tax in said school district.

WM. JESSUP, R. G. RICHARDS,
A. D. MARSH, J. R. JOHNSTON,
C. R. HARMON, F. M. CARTER.

Mr. Krimmel submitted the following report:

The standing committee on Common Schools and School Lands, to whom was referred H. B. No. 733—For the relief of Julia A. Trent, a teacher in the Manchester public school—having had the same under consideration, report it back, and recommend its passage.

C. F. KRIMMEL, THOS. M. BEER,
H. C. LORD, R. G. RICHARDS,
J. M. CARSON, G. A. GROVE.

Said bill was ordered to be engrossed and read the third time now, and was then read.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 22, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beer, Benson, Carlisle, Carson, Curtiss, Fisher, Grove, Irvine, Jackson of Clinton, Kelley, Krimmel, Lord, Marsh, McDonald, Owens, Richards, Steedman, Tyler, Wagener, Williams and Wilson—22.

So the bill passed. The title was agreed to.

Mr. Dungan submitted the following report:

The standing committee on Corporations other than Municipal, to whom was referred H. B. No. 675—Supplementary to an act entitled an

act to authorize the Trustees of Silver Creek township, Greene county, to loan certain moneys, as amended March 15, 1875, passed April 8, 1876, (O. L., Vol. 73, p. 289—having had the same under consideration, report it back, with the following amendment, and recommend its passage when so amended :

In section 3, strike out the words "its passage," and insert: "August 1, 1879."

IRVINE DUNGAN,	J. R. JOHNSTON,
J. M. ARMSTRONG,	R. G. RICHARDS.
LYMAN J. JACKSON,	

Said amendment was agreed to, and the bill was ordered to be engrossed and read the third time to-morrow.

Mr. Fisher submitted the following report:

The committee on Revision has examined, and found correctly engrossed, H. B. No. 458.

J. C. FISHER,
G. M. SALTZGABER,
G. W. WILSON.

Leave of absence was asked and obtained for the committee on Reform School and Industrial School for Girls, from this evening until Monday morning.

Mr. Curtiss submitted the following report:

The select committee of one, to whom was referred H. B. No. 575—Supplementary to an act entitled an act supplementary to an act entitled an act supplementary to an act entitled an act to provide for the organization and government of municipal corporations, passed April 27, 1872, passed April 6, 1876—having had the same under consideration, reports it back, and recommends its passage.

H. W. CURTISS.

Said bill was ordered to be engrossed and read the third time now, and was then read.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 30, nays none, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beer, Benson, Carlisle, Carson, Curtiss, Dungan, Fisher, Forrest, Grove, Irvine, Jackson of Clinton, Johnston, Joy, Kelley, Krimmel, Lord, Marsh, McDonald, Owens, Parker, Richards, Sabine, Seitz, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—30.

So the bill passed. The title was agreed to.

Mr. Dungan moved to take from the table S. J. R. No. 55.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 22, nays 7, as follow :

Those who voted in the affirmative were—

Messrs. Beer, Benson, Carlisle, Carson, Curtiss, Dungan, Fisher, Howland, Irvine, Jackson of Clinton, Johnston, Kelley, Marsh, McDonald, Richards, Sabine, Seitz, Steedman, Stokes, Wagener, Williams and Wilson—22.

Those who voted in the negative were—

Messrs. Armstrong, Forrest, Grove, Krimmel, Lord, Owens and Tyler—7.

So the motion was agreed to.

The question being on the adoption of said joint resolution, the yeas

and nays were ordered, taken, and resulted—yeas 23, nays 7, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beer, Benson, Carlisle, Carson, Dungan, Fisher, Forrest, Irvine, Jackson of Perry, Johnston, Kelley, Krimmel, Marsh, McDonald, Parker, Richards, Seitz, Steedman, Stokes, Tyler, Williams and Wilson—23.

Those who voted in the negative were—

Messrs. Curtiss, Grove, Howland, Lord, Owens, Sabine and Wagener—7.

So the joint resolution was adopted.

Mr. Beebe moved to take from the table H. B. No. 793.

Which was agreed to.

The question being on the passage of the bill—

Mr. Benson moved to refer the bill to a select committee of one, with instructions to amend as follows :

At the end of section 1, strike out the following : "Provided, however, that the question of paying said money to said society shall be submitted to the voters of said county at the election to be held on the first Monday in April next, and if at said election a majority of those voting shall vote in favor of paying said money, then said commissioners of said county are authorized to pay over said money to said agricultural society in accordance with the provisions of this act."

On which motion the yeas and nays were demanded, taken, and resulted—yeas 20, nays 4, as follow :

Those who voted in the affirmative were—

Messrs. Benson, Carlisle, Curtiss, Dungan, Fisher, Howland, Irvine, Johnston, Joy, Krimmel, McDonald, Owens, Parker, Richards, Sabine, Steedman, Tyler, Wagener, Williams and Wilson—20.

Those who voted in the negative were—

Messrs. Beer, Carson, Marsh and Seitz—4.

So the motion was agreed to, and Mr. Benson was appointed such committee, and reported the bill back amended as instructed.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 19, nays 5, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Benson, Carlisle, Curtiss, Dungan, Fisher, Grove, Jackson of Perry, Johnston, Joy, Krimmel, Owens, Richards, Sabine, Steedman, Stokes, Tyler, Wagener and Williams—19.

Those who voted in the negative were—

Messrs. Beer, Howland, Parker, Seitz and Wilson—5.

So the bill passed. The title was agreed to.

Mr. Steedman moved to take from the table H. B. No. 699.

Which was agreed to.

On demand of Mr. Steedman, a call of the Senate was had.

Thirty-two Senators answered to their names.

Messrs. Jackson of Clinton, Saltzgaber and Sherrick were absent.

On motion of Mr. Forrest, further proceedings under the call were dispensed with.

Mr. Steedman demanded the previous question, which was duly seconded.

The question being "Shall the main question now be put?" the yeas and nays were ordered, taken, and resulted—yeas 13, nays 18, as follows :

Those who voted in the affirmative were—

Messrs. Armstrong, Benson, Carlisle, Dungan, Forrest, Grove, Joy, Krimmel, Lord, McDonald, Steedman, Tyler and Wagener—13.

Those who voted in the negative were—

Messrs. Beebe, Beer, Carson, Curtiss, Fisher, Howland, Irvine, Jackson of Perry, Johnston, Kelley, Marsh, Owens, Richards, Sabine, Seitz, Stokes, Williams and Wilson—18.

So the demand for the previous question was not sustained.

Mr. Owens moved to refer the bill to a select committee of one, with instructions to amend as follows:

In line 8, section 1, strike out the word "shall", and insert in lieu thereof "may on application of the judgment debtor."

On which motion the yeas and nays were demanded, taken, and resulted—yeas 18, nays 14, as follow:

Those who voted in the affirmative were—

Messrs. Beebe, Beer, Carson, Curtiss, Fisher, Howland, Irvine, Johnston, Kelley, Marsh, McDonald, Owens, Richards, Saltzgaber, Seitz, Stokes, Williams and Wilson—18.

Those who voted in the negative were—

Messrs. Armstrong, Benson, Carlisle, Dungan, Forrest, Grove, Jackson of Perry, Joy, Krimmel, Lord, Parker, Steedman, Tyler and Wagener—14.

So the motion was agreed to, and Mr. Owens was appointed such committee, and reported the bill back amended as instructed.

Mr. Fisher moved to refer the bill to a select committee of one, with instructions to amend as follows:

Strike out in lines 3 and 4, section 1, the words "containing a city of the first or second class."

On which motion the yeas and nays were demanded, taken, and resulted—yeas 15, nays 16, as follow:

Those who voted in the affirmative were—

Messrs. Beebe, Beer, Carson, Curtiss, Fisher, Howland, Irvine, Johnston, Marsh, McDonald, Owens, Saltzgaber, Seitz, Stokes, and Williams—15.

Those who voted in the negative were—

Messrs. Armstrong, Benson, Carlisle, Dungan, Forrest, Grove, Joy, Kelley, Krimmel, Lord, Parker, Richards, Steedman, Tyler, Wagener and Wilson—16.

So the motion was disagreed to.

Mr. Fisher moved to refer the bill to a select committee of one, with instructions to amend as follows:

In line 5, section 1, strike out the words "at the date of the passage of this bill."

On which motion the yeas and nays were demanded, taken, and resulted—yeas 7, nays 21, as follow:

Those who voted in the affirmative were—

Messrs. Carson, Fisher, Forrest, Irvine, Parker, Seitz and Steedman—7.

Those who voted in the negative were—

Messrs. Armstrong, Beer, Benson, Carlisle, Curtiss, Dungan, Grove, Howland, Johnston, Joy, Kelley, Krimmel, Lord, Marsh, McDonald, Owens, Saltzgaber, Tyler, Wagener, Williams and Wilson—21.

So the motion was disagreed to.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 18, nays 10, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Benson, Carlisle, Carson, Dungan, Forrest, Grove, Jackson of Perry, Joy, Krimmel, Lord, McDonald, Parker, Steedman, Stokes, Tyler, Wagener and Williams—18.

Those who voted in the negative were—

Messrs. Beebe, Beer, Fisher, Howland, Johnston, Kelley, Owens, Richards, Saltzgaber and Wilson—10.

So the bill passed. The title was agreed to.

Mr. Wilson moved that the vote whereby H. B. No. 699 was passed be reconsidered.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 9, nays 20, as follow :

Those who voted in the affirmative were—

Messrs. Beebe, Carson, Fisher, Howland, Irvine, Owens, Richards, Saltzgaber and Wilson—9.

Those who voted in the negative.

Messrs. Armstrong, Benson, Carlisle, Dungan, Forrest, Jackson of Perry, Johnston, Joy, Kelley, Krimmel, Lord, Marsh, McDonald, Parker, Seitz, Steedman, Stokes, Tyler, Wagener and Williams—20.

So the motion was disagreed to.

Mr. Krimmel submitted the following report :

The joint committee on Enrollment has examined, and found correctly enrolled, the following bill :

S. B. No. 275—To authorize the election of one additional Judge of the Court of Common Pleas, in the first subdivision of the second judicial district of Ohio.

C. F. KRIMMEL,	C. R. HARMON,
J. W. WASHBURN,	J. R. JOHNSTON,
IRVINE DUNGAN,	R. G. RICHARDS,
F. M. CARTER,	WM. JESSUP.
A. D. MARSH,	

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives accedes to the request of the Senate, and herewith returns—

H. B. No. 839—Mr. Hitchcock—Supplementary to an act to authorize township Trustees of any township in this State to levy a tax for purchasing a hearse and erecting a vault, passed March 14, 1878, (Vol. 75, page 46).

Attest :

L. A. BRUNNER, *Clerk.*

On motion of Mr. Curtiss, said bill was laid on the table.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives insists on its amendments to—

S. B. No. 241—Mr. Tyler—To amend section six, chapter five, title two of an act entitled an act to amend, revise and consolidate the statutes relating to criminal procedure, (O. L., Vol. 74, p. 340)—and has appointed Messrs. Washburn, Rimer and Williamson a committee of Conference on the part of the House.

Attest :

L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The House of Representatives insists on its amendments to —
S. J. R. No. 83—Mr. Carlisle—Authorizing the Adjutant-general to employ a guard for the State Arsenal—and has appointed Messrs. Dodds, Alexander and Boyce a committee of Conference on the part of the House.

Attest : L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The House of Representatives has concurred in Senate amendments Nos. 1, 2, 3, 4, 5 and 7, and has non-concurred in amendment No. 6 to—
H. B. No. 737—Mr. Alexander, Making appropriations for deficiencies which are payable out of the general revenue fund.

Attest : L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The House of Representatives has concurred in the adoption of the following joint resolution :

S. J. R. No. 69—Mr. Johnston—Providing for the printing and binding of additional copies of the Secretary of State's report, for distribution among members.

Attest : L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The House of Representatives has adopted the following joint resolution, in which the concurrence of the Senate is requested :

Substitute for H. J. R. No. 103—Mr. Rimer—For the relief of William T. Wooley and Andrew Dreiss.

Attest : L. A. BRUNNER, *Clerk.*

On motion of Mr. Steedman, said joint resolution was referred to the committee on Penitentiary.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The Speaker of the House of Representatives has, in the presence of the House, signed the following bills:

H. B. No. 477—Mr. Hume—To authorize the sale of certain lands therein named.

H. B. No. 586—Mr. Hume - To authorize the Commissioners of Shelby county to build one or more bridges within the limits of the villages of Newport and Berlin, in said county.

H. B. No. 774—Mr. Booth—To authorize the Trustees of Madison township, Franklin county, Ohio, to sell certain real estate.

H. B. No. 802—Mr. Herrick—To authorize the Board of Education of Union School District of the incorporated village of Lorain, in Lorain county, Ohio, to levy additional school tax in said school district.

S. B. No. 275—Mr. Grove—To authorize the election of one additional Judge of the Court of Common Pleas in the first sub-division of the Second Judicial District.

Attest:

L. A. BRUNNER, *Clerk*.

The President, in presence of the Senate, signed said bills.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has adopted the following joint resolution, in which the concurrence of the Senate is requested:

H. J. R. No. 101 – Mr. White – Authorizing the Secretary of State to sell old books.

Attest:

L. A. BRUNNER, *Clerk*.

On motion of Mr. Forrest, said joint resolution was referred to the committee on Public Printing.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bills, in which the concurrence of the Senate is requested:

H. B. No. 720—Mr. Luccock—To amend section nine of an act entitled an act supplementary to an act entitled an act to provide for the creation and regulation of incorporated companies in the State of Ohio, passed May 1, 1852; passed April 15, 1867, (S. & S., 186,) as amended February 25, 1869, (O. L., Vol. 66, p. 11), as amended April 20, 1874, (O. L., Vol. 71, p. 161), as amended April 11, 1876, (O. L., Vol. 73, p. 188), as amended March 12, 1877, (O. L., Vol. 74, p. 38), as amended March 28, 1878, (O. L., Vol. 75.)

H. B. No. 665—Mr. Sextro—To amend section forty-three, chapter four, division seven of an act entitled an act to amend, revise and consolidate the statutes relating to municipal corporations, to be known as title twelve, part one of the act to revise and consolidate the general statutes of Ohio, passed May 14, 1878, (75 Laws, 322.)

Attest:

L. A. BRUNNER, *Clerk*.

Said bills were read the first time.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has indefinitely postponed the following resolution:

S. J. R. No. 81—Mr. Johnston—Directing the Codifying Commission to make certain references in their report to the General Assembly.

Attest:

L. A. BRUNNER, *Clerk*.

On motion of Mr. Saltzgaber, the Senate adjourned.

Attest:

ALLEN O. MYERS, *Clerk*.

SATURDAY, March 22, 1879—10 O'CLOCK A.M.

The Senate met pursuant to adjournment.

Prayer by Rev. S. D. Hutsinpillar.

The Journal was read and approved.

Bills were read the second time and referred, as follows:

H. B. No. 683—Mr. Booth—Supplementary to an act entitled an act to revise and consolidate the laws relating to procedure in the Probate Court, passed May 7, 1878, and took effect September 1, 1878.

Committee on the Judiciary.

H. B. No. 706—Mr. Townsend—Supplementary to an act entitled an act for the reorganization and maintenance of common schools, passed May 1, 1873, (Sayler's Statutes, page 3028,) and to extend the time for lessees of section sixteen to comply with sections one hundred and forty-three and one hundred and forty-four of said act, who have complied with all provisions of said act except said sections.

Committee on Common Schools and School Lands.

H. B. No. 720—Mr. Luccock—To amend section nine of an act entitled an act supplementary to an act entitled an act to provide for the creation and regulation of incorporated companies in the State of Ohio, passed May 1, 1852; passed April 15, 1867 (S. & S, 186); as amended February 25, 1869 (O. L., Vol. 66, p. 11); as amended April 20, 1874 (O. L., Vol. 71, p. 161); as amended April 11, 1876 (O. L., Vol. 73, p. 188); as amended March 12, 1877 (O. L., Vol. 74, p. 38); as amended March 28, 1878, (O. L., Vol. 75.)

Committee on Corporations other than Municipal.

H. B. No. 665—Mr. Sextro—To amend section forty-three, chapter four, division seven of an act entitled an act to amend, revise and consolidate the statutes relating to municipal corporations, to be known as title twelve, part one of the act to revise and consolidate the general statutes of Ohio, passed May 14, 1878, (75 Laws, 322.)

Committee on Municipal Corporations.

S. B. No. 328—Mr. Curtis To amend section two, chapter four, page four hundred and sixty-seven of the act to revise and consolidate the statutes of Ohio.

Committee on Municipal Corporations.

H. B. No. 821—Mr. Crosson—Authorizing the Council of the village of Milford to transfer certain funds—was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 23, nays none, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Benson, Carlisle, Curtiss, Dungan, Fisher, Irvine, Johnston, Krimmel, Lord, Marsh, McDonald, Owens, Parker, Richards, Saltzgaber, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—23.

So the bill passed. The title was agreed to.

H. B. No. 763—Mr. Levering—To amend section one of an act to authorize the creation of a special school district in Canaan township, Morrow county, (Vol. 75, pp. 1161–1162, O. L.), passed and took effect May 13, 1878—was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 23, nays none, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Carson, Curtiss, Dungan, Fisher, Johnston, Krimmel, Lord, Marsh, McDonald, Owens, Richards, Saltzgaber, Steedman, Stokes, Tyler, Wagener, Williams and Wilson 23.

So the bill passed. The title was agreed to.

H. B. No. 675—Mr. Greene—Supplementary to an act entitled an act to authorize the Trustees of Silver Creek township, Greene county, to loan certain moneys, as amended March 15, 1875, passed April 8, 1876, (O. L., Vol. 73, p. 289—was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 25, nays none, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Carson, Curtiss, Fisher, Irvine, Jackson of Perry, Johnston, Krimmel, Lord, Marsh, McDonald, Owens, Parker, Richards, Saltzgaber, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—25.

So the bill passed. The title was agreed to.

Leave of absence was asked and obtained for Mr. Forrest until Monday.

S. B. No. 301—Mr. Benson—To amend section ten of an act relating to crimes and offenses against persons, (74, O. L., 245)—was read the third time.

Mr. Benson moved to refer the bill to a select committee of one, with instructions to amend as follows:

In section 10, line 6, after the word "degree," insert: "or be imprisoned for life at hard labor, at the discretion of the court."

Which was agreed to, and Mr. Benson was appointed such committee, and reported the bill back amended as instructed.

Mr. Curtiss moved that said bill be laid on the table.

Which was agreed to.

S. B. No. 318—Mr. Richards—To authorize the incorporated village of Salem, Columbiana county, Ohio, to levy a tax to improve the streets of said village—was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 22, nays none, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Benson, Carlisle, Carson, Curtiss, Dungan, Fisher, Howland, Irvine, Jackson of Perry, Johnston, Krimmel, Lord, Marsh, McDonald, Owens, Richards, Steedman, Stokes, Williams and Wilson—22.

So the bill passed. The title was agreed to.

S. B. No. 277—Mr. Steedman—Granting right of way over certain lands belonging to the State of Ohio, and over the Miami and Erie canal and Swan creek, in the city of Toledo, to the Toledo and Grand Rapids Railroad Company, for the purpose of constructing, maintaining and operating a railroad—was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 26, nays none, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Carson, Curtiss, Dungan, Fisher, Howland, Jackson of Perry, Johnston, Krimmel, Lord, Marsh, McDonald, Owens, Parker, Richards, Saltzgaber, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—26.

So the bill passed. The title was agreed to.

S B. No. 317—Mr. Curtiss - To amend the act of April 27, 1872, entitled an act to regulate insurance companies doing an insurance business in the State of Ohio, (Vol. 69, O. L., p. 140) - was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 22, nays none, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Curtiss, Dungan, Fisher, Howland, Irvine, Jackson of Perry, Johnston, Krimmel, Lord, Marsh, McDonald, Owens, Parker, Richards, Steedman, Stokes, Tyler, Williams and Wilson ---22.

So the bill passed. The title was agreed to.

Mr. Dungan submitted the following report :

The standing committee on Corporations other than Municipal, to whom was referred H. B. No. 756—To authorize the Commissioners of Guernsey county to build a Court-house—having had the same under consideration, report it back, and recommend its passage.

IRVINE DUNGAN, LYMAN J. JACKSON,
R. G. RICHARDS, GEO. P. TYLER.
J. M. ARMSTRONG,

Said bill was ordered to be engrossed and read the third time now, and was then read.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted - yeas 23, nays 1, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Curtiss, Dungan, Fisher, Howland, Irvine, Jackson of Perry, Johnston, Krimmel, Lord, McDonald, Owens, Parker, Richards, Steedman, Stokes, Tyler, Wagener and Wilson—23.

Mr. Williams voted in the negative.

So the bill passed. The title was agreed to.

Mr. Steedman laid before the Senate resolutions from the Missouri Legislature, relating to the improvement of the Western rivers.

On motion of Mr. Howland, said resolutions were referred to the committee on Federal Relations.

Mr. Curtiss moved to take from the table H. B. No. 737.

Which was agreed to.

Mr. Curtiss moved that the Senate insist on its amendment to H. B. No. 737.

Which was agreed to.

Mr. Saltzgaber submitted the following report :

The standing committee on Public Works and Public Lands, to whom was referred H. J. R. No. 80—As to a survey of land for a ditch between Mercer County Reservoir and Cranberry Prairie—having had the same under consideration, report it back, and recommend its adoption.

JAS. B. STEEDMAN, G. M. SALTZGABER,
LYMAN J. JACKSON, H. C. LORD.

Mr. Curtiss moved that said joint resolution be laid on the table.

Which was agreed to.

Mr. Lord moved to take from the table communication from the Governor relating to the State oil inspection.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 17, nays 2, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Curtiss, Howland, Johnston, Lord, Marsh, Owens, Richards, Saltzgaber, Steedman, Tyler, Wagener, Williams and Wilson—17.

Those who voted in the negative were—

Messrs. Dungan and Irvine—2.

So the motion was agreed to.

Mr. Dungan moved to refer the report to the committee on Printing.

On which motion the yeas and nays were demanded, taken, and resulted yeas 5, nays 16, as follow :

Those who voted in the affirmative were—

Messrs. Benson, Dungan, Irvine, Saltzgaber and Stokes—5.

Those who voted in the negative were—

Messrs. Armstrong, Beebe, Beer, Carlisle, Curtiss, Howland, Johnston, Lord, Marsh, McDonald, Owens, Parker, Richards, Steedman, Tyler and Wagener—16.

So the motion was disagreed to.

Mr. Carlisle moved that the Senate take a recess.

Which was disagreed to.

Mr. Marsh moved that the report be ordered printed.

Which was agreed to.

Mr. Dungan submitted the following report:

The joint committee on Enrollment has examined, and found correctly enrolled, the following bills:

H. B. No. 731—To authorize the Board of Education of Concord township, Champaign county, to levy a tax, and issue bonds in anticipation of the collection thereof, for the purpose of purchasing a site and erecting a school-house thereon, in joint sub-district No. 1, of Concord and Mad River townships.

H. B. No. 738—For the relief of G. W. Drake.

H. B. No. 198—To amend section one of an act entitled an act concerning Notaries Public and Commissioners, and prescribing their duties.

H. B. No. 692—To authorize the Council of the incorporated village of Kenton, in Hardin county, to issue bonds.

IRVINE DUNGAN,	F. M. CARTER,
R. G. RICHARDS,	WM. JESSUP.
C. F. KRIMMEL,	E. S. PERKINS.
J. W. WASHBURN,	

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The Speaker of the House of Representatives has, in the presence of the House, signed the following bills:

H. B. No. 738—Mr. Parker—For the relief of G. W. Drake.

H. B. No. 731—Mr. Cowgill—To authorize the Board of Education of

Concord township, Champaign county, to levy a tax, and issue bonds in anticipation of the collection thereof, for the purpose of purchasing a site, and erecting a school house thereon, in joint sub-district No. 1, of Concord and Mad River townships.

H. B. No. 692—Mr. Haley—To authorize the Council of the incorporated village of Kenton, in Hardin county, to issue bonds.

H. B. No. 198—Mr. Dodds—To amend section one of an act entitled an act concerning Notaries Public and Commissioners, and prescribing their duties, passed March 13, 1856, (S. C., p. 872).

Attest:

L. A. BRUNNER, *Clerk*.

The President *pro tem.*, in presence of the Senate, signed said bills.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The following bills have been introduced in the House of Representatives, and read the first time:

H. B. No. 916—Mr. Wright—To amend sections one and three of an act to provide for the erection of bridges over Mill Creek and the Cincinnati, Hamilton and Dayton Railroad in Hamilton county, passed May 4, 1877, (Vol. 74, p. 503.)

H. B. No. 917—Mr. Reed of Ross—To refund the public debt of the State, which is redeemable after June 30, 1881.

H. B. No. 918—Mr. Carpenter—To authorize the Trustees of Sutton township, Meigs county, to pay damages for the removal of the county road.

H. B. No. 919—Mr. Hardy of Defiance—To authorize the Board of Public Works to rebuild the five locks on the Wabash canal, between the junction of the said canal with the Miami and Erie canal and the Indiana State line.

H. B. No. 920 Mr. Norton—To amend section two of an act entitled an act to amend the first and second sections of an act entitled an act regulating the descent and distribution of personal estate, passed March 4, 1865, (S. & C., p. 304.)

H. B. No. 921—Mr. Williamson—Supplementary to the act of February 21, 1867, entitled an act to enable associations of persons for raising funds to be loaned among their members for building homesteads and other purposes, to become bodies corporate.

H. B. No. 922—Mr. Sturgeon—To regulate the sale of merchandise in certain cases, and to protect certain creditors against fraudulent sales of insolvent or absconding debtors.

Attest:

L. A. BRUNNER, *Clerk*.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has concurred in Senate amendments to—

H. B. No. 458—Mr. Hayman—To authorize the Commissioners of Scioto county to purchase a toll-road and levy tax to pay for same.

Attest:

L. A. BRUNNER, *Clerk*.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bill, in which the concurrence of the Senate is requested:

H. B. No. 688—Mr. Sullivan of Hamilton—To amend the act of April 11, 1878, entitled an act regarding the maintenance and repair of streets, alleys, etc., in cities of the first class having a population of more than one hundred and fifty thousand inhabitants at the last federal census, (73, O. L., p. 212).

Attest:

L. A. BRUNNER, *Clerk*.

Said bill was read the first time.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives requests the return of—

S. J. R. No. 81—Mr. Johnston—Directing the Codifying Commission to make certain references in their report to the General Assembly.

Attest:

L. A. BRUNNER, *Clerk*.

On motion of Mr. Curtiss, the Senate acceded to the request of the House.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has concurred in Senate amendments to —

H. B. No. 675 —Mr. Greene—Supplementary to an act entitled an act to authorize the Trustees of Silver Creek township, Greene county, to loan certain moneys, as amended March 15, 1875, passed April 8, 1876, (O. L., Vol. 7, p. 289).

Attest:

L. A. BRUNNER, *Clerk*.

On motion of Mr. Marsh, the Senate adjourned.

Attest:

ALLEN O. MYERS, *Clerk*.

MONDAY, March 24, 1879—10 o'clock A.M.

The Senate met pursuant to adjournment.

Prayer by Rev. E. K. Squier.

The Journal was read and approved.

Mr. Curtiss presented the petition of S. N. Pelton and 116 other citizens of Chagrin Falls, Cuyahoga county, asking for the passage of Foster's Infirmary Bill.

Which was referred to the committee on Finance.

Leave of absence was asked and obtained for Messrs. Forrest, Tyler, Wilson and Irvine for to-day.

Mr. Johnston offered the following resolution :

S. R. No. 90: WHEREAS, The General Assembly did, on the 21st day of March, 1874, enact a law providing for the appointment of an Inspector of Mines; and,

WHEREAS, In defining the powers and duties of such inspector, said act required him to make annually, on or before the first day of January, a report to the Governor of his proceedings and the condition and operation of the mines of this State; and

WHEREAS, The report so required by law to be made by such inspector, has not yet been made, or if so made, has not been received by the General Assembly; therefore,

Be it resolved, That the committee on Mines and Mining be, and they are hereby directed to inquire into and ascertain the cause of such delay, and report their proceedings hereunder at once, to the end that such measures may be taken as will insure the prompt and speedy making and publication of such report.

Mr. Dungan gave notice of his intention to discuss said resolution; so it went over under the rule.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bills, in which the concurrence of the Senate is requested:

H. B. No. 864—Mr. Williamson—To consolidate the territory comprising the township of New London, in Huron county, Ohio, into a special school district.

H. B. No. 918—Mr. Carpenter—To authorize the Trustees of Sutton township, Meigs county, to pay damages for the removal of county road.

H. B. No. 564—Mr. Norton—To provide for the location, establishment, and construction of a new ditch in part, and for the alteration, changing, straightening, cleaning out, widening, deepening, extending and otherwise improving certain ditches, drains and water-courses in the counties of Seneca and Sandusky, in the State of Ohio.

H. B. No. 819—Mr. Dawson—Relating to incorporated villages which, by the federal census of 1870 had, and which by any subsequent federal census may have had a population of two thousand eight hundred and eighteen.

H. B. No. 766—Mr. Bloom—To authorize the Register of Virginia military School Lands, at Mansfield, Ohio, to close the business of his office.

H. B. No. 824—Mr. Foster—To amend section nineteen of the act entitled an act for the incorporation of townships, passed March 14, 1853, (Vol. 51, p. 489.)

Attest:

L. A. BRUNNER, *Clerk.*

Mr. Johnston offered the following joint resolution:

S. J. R. No. 85: *Be it resolved by the General Assembly of the State of Ohio*, That the Governor be, and he hereby is authorized, within ten days after the adoption of this resolution, to appoint three suitable and discreet persons to act as a commission to inquire into and ascertain the number and condition of the chronic insane in this State, and also to ascertain and determine the feasibility and probable cost of providing a suitable

asylum for the care and treatment of such chronic insane ; and said commission, when so appointed, to proceed at once to make inquiry as provided herein, and to report the results of such inquiry to the General Assembly at the earliest time practicable.

On motion of Mr. Johnston, said joint resolution was referred to the committee on Benevolent Institutions.

On motion of Mr. Lord, the Senate took a recess.

THREE O'CLOCK P.M.

Mr. Lord offered the following joint resolution :

S. J. R. No. 86: WHEREAS, numerous reports are in general circulation, and generally published in the newspapers of the State, to the effect that there has been mismanagement in the conduct of affairs at the Soldiers' and Sailors' Orphans' Home, and improper conduct on the part of the Superintendent of that institution and of other officials connected therewith ; therefore,

Be it resolved, That a committee of two on the part of the Senate, and three on the part of the House be appointed, to investigate the truth of the alleged charges, with power to send for persons and papers, to summon witnesses, to administer oaths, and to report to the General Assembly at the earliest possible day.

On motion of Mr. Krimmel, said joint resolution was referred to the committee on Soldiers' and Sailors' Orphans' Home and School for Imbecile Youth.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The House of Representatives has adopted the following joint resolution, in which the concurrence of the Senate is requested :

H. J. R. No. 102—Mr. Worley—As to the printing of eighteen thousand copies of the report of State Commissioner of Common Schools.

Attest :

L. A. BRUNNER, *Clerk*.

On motion of Mr. Curtiss, said joint resolution was referred to the committee on Public Printing.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The House of Representatives has concurred in the passage of the following bill :

S. B. No. 269 Mr. Fisher To authorize the Commissioners of Co-shocton county to transfer funds therein named.

Attest :

L. A. BRUNNER, *Clerk*.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The House of Representatives refuses to recede, and asks for a com-

mittee of Conference on H. B. No. 737—Mr. Alexander—Making appropriations which are payable out of the general revenue fund.

Attest:

L. A. BRUNNER, *Clerk*.

On motion of Mr. Curtiss, the Senate acceded to the request of the House, and the President *pro tem.* appointed Messrs. Seitz, Fisher and Curtiss as such Conference committee on part of the Senate.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has concurred in the passage of the following bills:

S. B. No. 305—Mr. Saltzgaber—To authorize the Trustees of the township of Marion, Allen county, Ohio, to transfer funds therein named.

S. B. No. 285—Mr. Marsh—To authorize the purchase of additional fair grounds for the use of county agricultural societies, in certain cases, and to repeal a certain act herein named.

Attest:

L. A. BRUNNER, *Clerk*.

Mr. Curtiss offered the following resolution:

S. R. No. 91: *Be it resolved*, That the committee on Public Printing be, and they are hereby directed to inquire into the propriety of purchasing the electrotype plates of Curwen's statutes, and to ascertain the probable cost of the same, and to report their action to the Senate as soon as practicable.

On motion of Mr. Curtiss, said resolution was referred to the committee on Public Printing.

MESSAGE FROM THE GOVERNOR.

THE STATE OF OHIO, EXECUTIVE DEPARTMENT,

COLUMBUS, 24th day of March, 1879.

To the Senate:

I have the honor to nominate, and by and with the advice and consent of the Senate, appoint Thomas D. Styles, of Fort Jefferson, Darke county, to be a Trustee of the Dayton Asylum for the Insane, for the term of five years, from April 4, 1879.

Very respectfully,

RICHARD M. BISHOP.

On motion of Mr. Krimmel, said communication was referred to the committee on Benevolent Institutions.

On motion of Mr. Joy, the Senate adjourned.

Attest:

ALLEN O. MYERS, *Clerk*.

TUESDAY, March 25, 1879—10 o'clock A.M.

The Senate met pursuant to adjournment.

Prayer by Rev. E. K. Squier.

The Journal was read and approved.

S. J.—21

Bills were read the second time and referred, as follows :

H. B. No. 688—Mr. Sullivan of Hamilton—To amend the act of April 11, 1878, entitled an act regarding the maintenance and repair of streets, alleys, etc., in cities of the first class, having a population of more than one hundred and fifty thousand inhabitants at the last federal census, (73, O. L., p. 212.)

Committee on Municipal Corporations.

H. B. No. 864—Mr. Williamson—To consolidate the territory comprising the township of New London, in Huron county, Ohio, into a special school district.

Committee on Common Schools and School Lands.

H. B. No. 564—Mr. Norton—To provide for the location, establishment, and construction of a new ditch in part, and for the alteration, changing, straightening, cleaning out, widening, deepening, extending, and otherwise improving certain ditches, drains, and water-courses in the counties of Seneca and Sandusky, in the State of Ohio.

Committee on Ditches, Drains and Water-courses.

H. B. No. 819—Mr. Dawson Relating to incorporated villages, which, by the federal census of 1870 had, and which by any subsequent federal census may have had a population of two thousand eight hundred and eighteen.

Committee on Municipal Corporations.

H. B. No. 766—Mr. Bloom—To authorize the Register of Virginia Military School Lands, at Mansfield, Ohio, to close the business of his office.

Committee on Common Schools and School Lands.

H. B. No. 824—Mr. Foster—To amend section nineteen of the act entitled an act for the incorporation of townships, passed March 14, 1853, (51 Vol. statutes, 489.)

Committee on Roads and Highways.

H. B. No. 918—Mr. Carpenter—To authorize the Trustees of Sutton township, Meigs county, to pay damages for the removal of county road.

Mr. Kelley moved that the constitutional rule, requiring bills to be read on three different days, be suspended, that H. B. No. 918 may be read the third time.

On which motion the yeas and nays were taken, and resulted—yeas 28, nays 1, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Curtiss, Dungan, Fisher, Grove, Howland, Irvine, Jackson of Clinton, Jackson of Perry, Johnston, Joy, Kelley, Krimmel, Lord, Marsh, Owens, Parker, Richards, Seitz, Sherrick, Stokes, Tyler, Wagener and Williams—28.

Mr. Forrest voted in the negative.

So the motion was agreed to, and the bill was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 29, nays none, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Curtiss, Dungan, Fisher, Grove, Howland, Irvine, Jackson of Clinton, Jackson of Perry, Johnston, Joy, Kelley, Krimmel, Lord, Marsh, Owens, Parker, Richards, Saltzgaber, Seitz, Sherrick, Stokes, Tyler, Wagener and Williams—29.

So the bill passed. The title was agreed to.

MESSAGE FROM THE GOVERNOR.

THE STATE OF OHIO, EXECUTIVE DEPARTMENT,

COLUMBUS, 25th day of March, 1879.

To the Senate:

I have the honor to nominate, and by and with the advice and consent of the Senate, appoint Isaac G. Peetrey, of London, Madison county, to be a Director of the Ohio Penitentiary, for the term of five years, from April 1, 1879.

Very respectfully,

RICHARD M. BISHOP.

On motion of Mr. Johnston, said communication was referred to the committee on Penitentiary.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bills, in which the concurrence of the Senate is requested:

H. B. No. 833—Mr. Estill—To amend the act of May 7, 1878, entitled an act to revise and consolidate the laws relating to procedure in the Probate Court, (Vol. 75, p. 836).

H. B. No. 717—Mr. Achauer—To amend section seven of an act entitled an act to provide for establishing an insurance department in the State of Ohio, as amended May 5, 1878, (O. L., Vol. 75, p. 576).

H. B. No. 870—Mr. Estill—To authorize the Board of Education of Paint township, in Holmes county, to transfer certain funds from the contingent fund to the tuition fund.

H. B. No. 898—Mr. White—To authorize the Agricultural Society of Franklin county to borrow money.

H. B. No. 828—Mr. Quinn—To authorize the Council of the incorporated village of Mt. Sterling, Madison county, Ohio, to transfer money from the sewer fund to the sinking fund.

H. B. No. 831—Mr. Perkins—To authorize the Council of the village of Wadsworth to transfer funds.

H. B. No. 537—Mr. Dawson—To authorize the village Council of the incorporated village of New Lexington, in Highland county, Ohio, to transfer certain money from the fund for the construction of a village prison, to the fund for municipal purposes.

H. B. No. 812—Mr. Hostetter—To provide for the straightening, clearing out, widening, deepening, and otherwise improving Mud creek and Greenville creek, also their tributaries, in Darke county, Ohio.

Attest:

L. A. BRUNNER, *Clerk*,

Said bills were read the first time.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has concurred in the passage of the following bill:

S. B. No. 264—Mr. Forrest—To amend section five, of chapter two, of division three of an act to amend, revise and consolidate the statutes relating to municipal corporations, to be known as title twelve, part one of the act to revise and consolidate the general statutes of Ohio, passed May 14, 1878, (Vol. 75, O. L., p. 192).

Attest :

L. A. BRUNNER, *Clerk.*

Mr. Kelley submitted the following report :

The standing committee on Roads and Highways, to whom was referred H. B. No. 705—To authorize the Commissioners of certain counties to locate and construct turnpike roads—having had the same under consideration, report it back, and recommend its passage.

B. W. CARLISLE,	J. B. WILLIAMS,
C. S. PARKER,	J. H. BENSON,
LINDSEY KELLEY,	T. S. JACKSON.

Said bill was ordered to be engrossed and read the third time to-morrow.

Mr. Fisher submitted the following report :

The committee on Revision has examined, and found correctly engrossed, H. B. No. 699.

G. M. SALTZGABER,
J. C. FISHER,
G. W. WILSON.

Mr. Forrest submitted the following report :

The standing committee on Judiciary, to whom was referred S. B. No. 256—To revise and consolidate the statutes relating to county officers—having had the same under consideration, report it back, with the following amendment, and recommend its passage when so amended :

1. Page 358, chapter 1, section 1, line 1, strike out "shall be," and insert : "is hereby."

2. Page 359, section 7, line 1, before "commissioners," insert : "board of."

3. Page 360, line 29, after "exceed," insert : "in the aggregate."

Also, strike out all of the section 7, on page 360, from "county," on 1st line on the page, to "and," in line 12 on the page.

Also, add to the section : "but the commissioners shall not employ or pay an attorney except as herein provided, and as provided in section 8 of chapter 10."

4. Page 361, section 10, strike out the first two lines, and insert : "the commissioner whose term first expires shall be."

Section 11, at end of line 1, strike out "in." In line 3, strike out "their," and insert "its."

5. Page 362, section 17, line 1, strike out "has," and insert : "shall have."

6. Page 363, strike out all of section 17, after "composition."

7. Page 364, section 22, line 4, after "plank roads," insert : "in common public use."

Section 23, line 1, strike out "contract," and insert "construct."

8. Page 365, section 25, line 10, strike out "is," and insert : "shall be."

Line 11, before "commissioners," insert : "board of"; and line 12, strike out "are," and insert "is."

Strike out lines 25, 26, 27 and 28, and insert : "in favor of any person or corporation committing any acts, injuries, or obstructions concerning any such road or public highway."

9. Page 366, section 27, strike out the entire section, and renumber all the succeeding sections of chapter 1, to correspond.

10. Page 368, section 33, line 4, strike out "commissioners," and insert "county."

11. Page 370, section 39, line 1, after "commissioners," insert "shall."

11½. Section 40, line 3, strike out "are required to," and insert "shall."

12. Page 371, section 41, line 1, strike out "is," and insert: "shall be."

13. Page 372, section 46, line 6, before "commissioners," insert: "board of."

14. Page 373, section 50, line 1, after "sheriff," insert "clerk."

15. Page 383, section 79, line 5, on that page, after "report," insert "shall."

16. Page 387, section 91, 3d line from last, strike out "seven," and insert six."

17. Page 391, section 100, line 1, after "trustees," insert "shall."

18. Page 392, section 101, line 1, before "have," insert "shall."

19. Page 393, section 105, line 2, before "have," insert "shall."

20. Page 395, section 113, line 1, before "commissioners," insert: "board of;" and in line 5 strike out "their" twice, and insert "its."

Section 114, line 9, strike out "their," and insert "its."

21. Page 397, section 117, line 9, before "county," insert: "board of;" strike out "them," and insert "it"; and line 10, strike out "their", and insert "its."

22. Page 398, chapter 2, section 1, line 1, after "is," insert: "or may hereafter be established;" and add to the section: "bnt nothing herein contained shall affect the term of office of such board heretofore elected."

23. Page 399, section 2, line 7, strike out all of the section after "director," and insert: "for the term of three years."

24. Page 400, section 6, line 7, strike out "at pleasure," and insert: "for cause;" and on page 401, line 6 strike out "articles of."

25. Page 404, section 14, line 2, strike out "erected," and insert "established."

26. Page 405, section 18, line 10, strike out "directors are," and insert: "superintendent is." In line 11, after "relief," strike out "they," and insert "he." In line 12, strike out "direct the superintendent of the infirmary to." In line 14, after "institution," insert: "but the directors of the infirmary may order the discharge of any inmate thereof."

27. Page 407, section 20, line 3, after "county," insert "shall."

Section 21, line 1, before "have," insert "shall."

Section 21, line 11, after "directors," insert "shall."

28. Page 412, section 32, lines 8 and 9, strike out "for such," and insert "of said."

29. Page 413, section 34, lines 15 and 16, strike out "prosecuting attorney," and insert: "county solicitor."

30. Page 416, chapter 3, section 1, line 2, strike out "Monday," and insert "Mondays."

31. Page 417, section 6, line 1, strike out "has," and insert: "shall have."

Section 8, see note on margin.

32. Page 425, chapter 4, section 4, line 4, strike out "be," and insert "become."

33. Page 433, section 28, line 10, strike out "and."

34. Page 436, section 36, line 16 to 18, strike out "or if temporarily

loaned or invested in any manner, a full and particular statement of such loan or investment."

35. Page 438, section 40, line 13, strike out "thirty," and insert "fifteen."
36. Page 442, section 54, line 12, before "have," insert "shall"; and in line 16, strike out "has," and insert "shall have."
37. Page 443, section 56, lines 6 and 7, strike out "shall receive the like sums respectively and."
38. Page 445, section 58, last line, before "property," insert "on."
- 38 $\frac{1}{2}$. Section 60, line 2, strike out "for their own use."
39. Page 447, section 64, line 2, after "counties," insert "shall."
40. Page 449, chapter 5, section 3, last line, strike out "be held to be," and insert "become."
41. Page 456, section 23, line 1, after "state," insert "shall"; line 4, strike out "remitted," and insert "transmitted."
42. Page 458, section 26, line 5, after "as", insert : "may be"; and in last line strike out "fifty", and insert "twenty-five."
43. Page 461, section 39, line 5, strike out "on the next ten thousand dollars, one and one-half."
44. Page 469, chapter 6, section 3, line 2, strike out "therefor."
45. Page 470, section 5, line 1, before "oath", strike out "the", and insert "an."
46. Page 470, section 7 : add to this section section 18, chapter 7, page 482.
47. Page 476, section 21, line 4, after "hundred", insert "written."
48. Page 480, chapter 7, section 9, line 11, strike out "seventy-five cents", and insert "one dollar", (to agree with section 21, page 483).
49. Page 482, section 18: Transfer this section to section 7, of chapter 6, page 470, and change the numbers of remaining sections of chapter 7 to agree.
50. Page 492, chapter 8, section 9, line 1, strike out "is", and insert "shall be."
- Section 10, line 12, strike out "has", and insert "shall have."
51. Page 494, section 17, lines 2 and 3, strike out "the clerk of the court of common pleas", and insert : "his successors in office."
52. Page 495, section 18, lines 20, 21, strike out "Venditioni exponas or other."
53. Page 500, section 29, 5th line from bottom of page, "writ of (Inquiry ?")
55. Page 519, chapter 10, section 12, line 5, add to section : "or in any case wherein the prosecuting attorney is required or authorized to bring any suit, or institute any proceedings, against any county officer, or person holding or having held any county office, for any misconduct in office, neglect of any duty prescribed by law, to recover money illegally drawn out of the county treasury, or money illegally held belonging to the county, and upon the written request of any tax-payer of the county to bring any such suit, or institute any such proceedings, shall fail, neglect, or refuse so to do, or where for any reason the prosecuting attorney can not bring such action, any tax-payer, upon securing the costs, is hereby authorized to bring any such suit, or institute any such proceedings; and such action shall be for the benefit of the county the same as if brought by the prosecuting attorney."

Section 13, line 7, after "and", insert: "after the payment of any fees due to the county surveyor provided for in section 35 of chapter 7."

W. T. FORREST, LYMAN J. JACKSON,
IRVINE DUNGAN, D. WAGENER.

Mr. Johnston moved that said bill and amendments be laid on the table and ordered to be printed.

Mr. Forrest moved to amend, that said bill and amendments be made the special order of the hour for 11 o'clock to-morrow.

Which was agreed to.

The motion as amended was then agreed to.

Mr. Armstrong submitted the following report:

The standing committee on Claims, to whom was referred S. B. No. 239—To authorize the arbitration of certain claims against the State—having had the same under consideration, report it back, with the following amendments, and recommend its passage when so amended:

After line 12, in section 1, insert as follows: "The said J. C. Auld & Co. shall, prior to the appointment of such arbitrators, file a bond to the amount of three hundred dollars, with the Governor of the State, and subject to his approval, which said bond shall provide that in case of failure on the part of said J. C. Auld & Co., a valid claim against the State of Ohio, the said firm shall pay all costs incident to such arbitration."

In line 1, section 2, strike out "ten," and insert "thirty."

J. B. WILLIAMS, J. C. McDONALD,
J. M. ARMSTRONG, C. S. PARKER.
D. D. BEEBE,

Said amendment were agreed to, and the bill was ordered to be engrossed and read the third time to-morrow.

Mr. Armstrong submitted the following report:

The standing committee on Claims, to whom was referred S. B. No. 309—For the payment of claim of S. N. Field—having had the same under consideration, report it back, and recommend its passage.

J. M. ARMSTRONG, J. B. WILLIAMS,
J. C. McDONALD, H. SABINE.
D. D. BEEBE,

Said bill was ordered to be engrossed and read the third time to-morrow.

Mr. Johnston moved that S. R. No. 90 be taken from the table.

Which was agreed to.

Said resolution was adopted.

Mr. Forrest submitted the following report:

The joint committee on Codified Laws, to whom was referred S. B. No. 308—To revise and consolidate the general statutes of Ohio—having had the same under consideration, report it back without recommendation.

J. G. MEUSER,
J. W. WASHBURN,
S. S. BLOOM,
J. C. COVERT,
H. F. ACHAUER,
CHARLES TOWNSEND,
ROBERT MACKEY,

Committee on part of the House.

W. T. FORREST,
G. M. SALTZGABER,
W. P. HOWLAND,
H. W. CURTISS,
G. W. WILSON,
LYMAN J. JACKSON,
JAMES W. OWENS,

Committee on part of the Senate.

Mr. Jackson of Perry moved that said bill be referred to the Judiciary committee, and that said committee be instructed to insert in the proper places therein, by way of amendments, the substance of all bills pertinent thereto, which have passed the Senate, except such as have been defeated by vote on final passage in the House; and also all laws pertinent and not already codified, and also all amendments heretofore agreed upon in the Judiciary committee, with such other amendment as said committee may suggest.

Mr. Forrest moved that said motion, and all the subject-matter, be made the special order for 3 o'clock P.M. to-morrow.

Mr. Johnston moved to strike out "to-morrow," and insert in lieu thereof "to-day."

On which motion the yeas and nays were demanded, taken, and resulted—yeas 11, nays 18, as follow:

Those who voted in the affirmative were—

Messrs. Beebe, Beer, Benson, Curtiss, Howland, Jackson of Clinton, Johnston, Kelley, Marsh, Richards and Sabine—11.

Those who voted in the negative were—

Messrs. Armstrong, Carlisle, Dungan, Fisher, Forrest, Grove, Irvine, Jackson of Perry, Joy, Krimmel, Lord, Parker, Saltzgaber, Seitz, Sherrick, Stokes, Tyler and Williams—18.

So the motion was disagreed to.

Mr. Johnston moved to strike out the words "3 o'clock P.M. to-morrow," and insert in lieu thereof the words "10½ o'clock A.M. to-morrow."

Which was agreed to.

Mr. Forrest's motion, as amended, was then agreed to.

Mr. Jackson of Perry moved to take from the table S. B. No. 225.

Which was agreed to.

Pending the consideration of which, on motion of Mr. Tyler, the Senate took a recess.

THREE O'CLOCK P.M.

When the Senate took a recess, it had under consideration S. B. No. 225, which was ordered to be read the third time, and was then read.

Mr. Fisher moved to refer the bill to a select committee of one, with instructions to substitute therefor the following:

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That any person not being in the place in which he usually lives or has a home, and who is found going about from place to place, begging and asking subsistence by charity, shall be taken and deemed to be a tramp, and, upon conviction thereof, shall be punished by imprisonment in the penitentiary not less than one nor more than three years.

SEC. 2. That any tramp who shall enter any dwelling house, or shall enter the yard or enclosure about any dwelling-house, or shall kindle a fire on the highway or on the land of another, without the consent of the owner or occupant thereof, or shall be found carrying any fire-arms, or other dangerous weapons, or shall do or threaten to do any injury to the real or personal estate or property of another, shall, upon conviction thereof, be imprisoned in the penitentiary not less than two years nor more than five years.

SEC. 3. This act shall not apply to any female or blind person, or minor under the age of sixteen years.

SEC. 4. This act shall take effect and be in force from and after the first day of June, 1879.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 9, nays 14, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Beer, Carlisle, Dungan, Fisher, Forrest, Kelley, Saltzgaber and Wagener—9.

Those who voted in the negative were—

Messrs. Beebe, Benson, Curtiss, Grove, Howland, Jackson of Clinton, Jackson of Perry, Marsh, Richards, Sabine, Sherrick, Stokes, Tyler and Williams—14.

So the motion was disagreed to.

Mr. Richards moved to refer the bill to a select committee of one, with instructions to amend as follows:

By adding at the end of line 9, in section 2, the following: "but if said vagrant shall refuse to perform such labor, then, and in that case, he shall be placed in solitary confinement and fed on bread and water until he will perform labor as prescribed by the sentence of the Court."

Which was agreed to, and Mr. Richards was appointed such committee, and reported the bill back amended as instructed.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 23, nays 2, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Benson, Carlisle, Curtiss, Dungan, Fisher, Forrest, Grove, Howland, Jackson of Clinton, Jackson of Perry, Kelley, Marsh, Parker, Richards, Sabine, Seitz, Sherrick, Stokes, Tyler, Wagener, and Williams—23.

Those who voted in the negative were—

Messrs. Irvine and Saltzgaber—2.

So the bill passed. The title was agreed to.

Mr. Forrest submitted the following report:

The standing committee on Judiciary, to whom was referred S. B. No. 284—To further regulate and prescribe the duties and rights of Probate Judges—having had the same under consideration, report it back, and recommend its indefinite postponement.

W. T. FORREST,
D. WAGENER,
IRVINE DUNGAN,

G. M. SALTZGABER,
J. R. JOHNSTON.

Said report was laid on the table.

Mr. Forrest submitted the following report:

The standing committee on Judiciary, to whom was referred S. B. No. 146 In relation to the prevention of cruelty to children, and to repeal a certain act therein named—having had the same under consideration, report it back, and recommend its indefinite postponement.

W. T. FORREST,
D. WAGENER,
IRVINE DUNGAN,

G. M. SALTZGABER,
J. R. JOHNSTON.

Said report was agreed to.

Mr. Forrest submitted the following report:

The standing committee on Judiciary, to whom was referred S. B. No. 289—To amend an act entitled an act to provide for the proof, acknowledgment and recording of deeds and other instruments of writing—

having had the same under consideration, report it back, and recommend its indefinite postponement.

W. T. FORREST,	IRVINE DUNGAN,
G. M. SALTZGABER,	D. WAGENER.
J. R. JOHNSTON,	

Said report was agreed to.

Mr. Forrest submitted the following report :

The standing committee on Judiciary, to whom was referred S. B. No. 62—To provide for a book of "Omissions and Alterations" of records for county recorders—having had the same under consideration, report it back, and recommend its indefinite postponement.

W. T. FORREST,	G. M. SALTZGABER,
IRVINE DUNGAN,	J. R. JOHNSTON.
D. WAGENER,	

Said report was agreed to.

Mr. Forrest submitted the following report :

The standing committee on Judiciary, to whom was referred H. B. No. 574—To amend section six of an act entitled an act to facilitate the administration of justice in Cuyahoga county, passed March 25, 1875—having had the same under consideration, report it back, and recommend its indefinite postponement.

W. T. FORREST,	G. M. SALTZGABER,
D. WAGENER,	J. R. JOHNSTON.
IRVINE DUNGAN,	

Said report was laid on the table.

Mr. Forrest submitted the following report :

The standing committee on Judiciary, to whom was referred H. B. No. 668—To amend section twenty, of chapter three, division three of the act entitled an act to revise and consolidate the laws of Ohio relating to procedure in Probate Courts—having had the same under consideration, report it back, and recommend its indefinite postponement.

W. T. FORREST,	G. M. SALTZGABER,
D. WAGENER,	J. R. JOHNSTON.
IRVINE DUNGAN,	

Said report was agreed to.

Mr. Lord asked and obtained leave to have his vote recorded on S. B. No. 225, and his name being called, he voted "aye."

Mr. Forrest submitted the following report :

The standing committee on Judiciary, to whom was referred S. B. No. 306—To amend section five, chapter five, sub-division one of an act entitled an act to revise and consolidate the laws relating to civil procedure in Courts of Common Pleas and Superior Courts, in District Courts on appeal, and also the laws relating to procedure in error, mandamus and quo warranto, (Laws of 1878, pp. 597-614)—having had the same under consideration, report it back, with the following amendment, and recommend its passage when so amended:

Add after the word "insurance", on line 8 of section 5, the word "company."

W. T. FORREST,	G. M. SALTZGABER,
D. WAGENER,	J. R. JOHNSTON.
IRVINE DUNGAN,	

Said amendment was agreed to, and the bill was ordered to be engrossed and read the third time to-morrow.

Mr. Curtiss submitted the following report :

The standing committee on Finance, to whom was referred H. B. No. 728—To amend sections two and three of an act to authorize Boards of Education in certain cities to appoint library committees and levy a tax for school purposes, passed April 8, 1878, (Vol. 75, p. 101)—having had the same under consideration, report it back, and recommend its passage.

H. W. CURTISS,	THOS. M. BEER,
JOHN SEITZ,	H. C. LORD.
J. SHERRICK,	

Said bill was ordered to be engrossed and read the third time to-morrow.

Mr. Saltzgaber submitted the following report :

The standing committee on Judiciary, to whom was referred S. B. No. 200—To revise and consolidate the laws relating to property—having had the same under consideration, report it back, with the following amendments, and recommend its passage when so amended :

On page 12, chapter 1, section 29, line 4, strike out "debt," and insert "claim."

On pages 27 and 28, chapter 2, section 22, strike out all of section 22 after the word "her," in line 4.

On page 31, chapter 3, section 2, line 6, strike out "femme," and insert "woman."

W. T. FORREST,	W. P. HOWLAND,
J. R. JOHNSTON,	G. M. SALTZGABER,
LYMAN J. JACKSON,	IRVINE DUNGAN.

Said amendments were agreed to, and the bill was ordered to be engrossed and read the third time now, and was then read.

Mr. Forrest moved to refer the bill to a select committee of one, with instructions to amend as follows :

Strike out of section 1, chapter 3, page 30, lines 1 and 2, "one-third part of."

Mr. Forrest moved that the further consideration of said bill be postponed, and made the special order for 3 o'clock to-morrow.

Which was agreed to.

Mr. Dungan submitted the following report :

The standing committee on Judiciary, to whom was referred S. B. No. 293—To exempt certain property of benevolent institutions from seizure and sale on execution—having had the same under consideration, report it back, with the following amendment, and recommend its passage when so amended :

Strike out all of section 1, after the enacting clause, and insert the following : "That the regalia, insignia of office, journals of proceedings, account-books, and the printed private work belonging to any benevolent society to this State, shall be exempt from seizure or sale to satisfy any judgment or decree rendered against such society after the passage of this act."

G. M. SALTZGABER,	IRVINE DUNGAN,
J. R. JOHNSTON,	D. WAGENER.
W. T. FORREST,	

Said amendment was agreed to, and the bill was ordered to be engrossed and read the third time to-morrow.

Mr. Sherrick moved to take from the table S. B. No. 208.

Which was agreed to.

The question being on concurring in House amendment, the yeas and nays were taken, and resulted—yeas 23, nays 2, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beer, Benson, Curtiss, Dungan, Fisher, Forrest, Grove, Howland, Jackson of Clinton, Jackson of Perry, Joy, Kelley, Marsh, Owens, Parker, Saltzgaber, Seitz, Sherrick, Stokes, Tyler, Wagener, and Williams—23.

Those who voted in the negative were—

Messrs. Johnston and Richards—2.

So the Senate concurred in said House amendment.

Mr. Sherrick submitted the following report :

The standing committee on Finance, to whom was referred H. J. R. No. 104—Authorizing the Governor to execute a deed to John Ford, assignee of William Moore—having had the same under consideration, report it back, and recommend its adoption.

J. SHERRICK,	H. W. CURTISS,
J. C. FISHER,	JOHN SEITZ,
THOS. M. BEER,	H. C. LORD.

The question being on the adoption of said joint resolution, the yeas and nays were taken, and resulted—yeas 25, nays none, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beer, Benson, Curtiss, Dungan, Fisher, Forrest, Grove, Howland, Irvine, Jackson of Clinton, Jackson of Perry, Johnston, Joy, Kelley, Marsh, Owens, Parker, Richards, Saltzgaber, Seitz, Sherrick, Stokes, Tyler and Wagener—25.

So the joint resolution was adopted.

Mr. Marsh moved that the Senate adjourn.

Which was disagreed to.

Mr. Fisher submitted the following report :

The standing committee on Finance, to whom was referred H. B. No. 827—For the relief of Landon Heskett—having had the same under consideration, report it back, and recommend its passage.

J. C. FISHER,	J. SHERRICK,
H. W. CURTISS,	JOHN SEITZ.
THOS. M. BEER,	

Said bill was ordered to be engrossed and read the third time to-morrow.

Mr. Dungan submitted the following report :

The joint committee on Enrollment has examined, and found correctly enrolled, the following bills and joint resolution :

S. B. No. 305—To authorize the Trustees of the township of Marion, Allen county, Ohio, to transfer funds therein named.

S. B. No. 264—To amend section five, of chapter two, of division three of an act to amend, revise and consolidate the statutes relating to municipal corporations, to be known as title twelve, part one of the act to revise and consolidate the general statutes of Ohio, passed May 14, 1878, (Vol. 75, O. L., p. 192).

S. B. No. 285—To authorize the purchase of additional fair-grounds for the use of County Agricultural Societies in certain cases, and to repeal a certain act herein named, (O. L., Vol. 68, p. 89.)

S. B. No. 300—To repeal sections seven, eight and nine, of chapter one,

of title four of the laws relating to error, mandamus and quo warranto, (O. L., Vol. 75, p. 805, et. seg.)

S. B. No. 210—Providing for increasing the levy for poor purposes in certain townships.

S. J. R. No. 69—Providing for the printing and binding of additional copies of the Secretary of State's report for distribution among the members.

S. B. No. 269—To authorize the Commissioners of Coshocton county to transfer funds therein named.

S. B. No. 214—To amend section two of an act entiteld an act to authorize the Commissioners of Brown county, Ohio, to construct a free turnpike road from the terminus of the Ripley and Hillsborough free turnpike road to the Highland county line, and to construct a free turnpike road from the terminus of the Arnheim free turnpike road via Sardenia to the Highland county line; also, from the terminus of the Mt. Oreb and Benton free turnpike road via Greenbush to the terminus of the Fayetteville and Chasetown free turnpike road, passed April 17, 1878, (O. L., Vol. 75, p. 1122.)

H. B. No. 793 -To authorize the County Commissioners of Knox county to aid the county agricultural society of said county.

H. B. No. 458—To authorize the Commissioners of Scioto county to purchase toll-road, and levy tax to pay for same.

H. B. No. 733—For the relief of Julia A. Trent, a teacher in the Manchester public school.

H. B. No. 821 -Authorizing the Council of the village of Milford to transfer certain funds.

H. B. No. 756—To authorize the Commissioners of Guernsey county to build a Court-house.

H. B. No. 763—To amend section one of an act to authorize the creation of a special school district in Canaan township, Morrow county, (Vol. 75, pp. 1162 and 1161, O. L.), passed and took effect May 13, 1878.

H. B. No. 575—Supplementary to an act entitled an act supplementary to an act entitled an act supplementary to an act entitled an act to provide for the organization and government of municipal corporations, passed April 27, 1872, passed April 6, 1876.

H. B. No. 918—To authorize the Trustees of Sutton township, Meigs county, to pay damage for the removal of road.

IRVINE DUNGAN,	C. R. HARMON,
J. W. WASHBURN,	E. S. PERKINS,
DUNCAN DOW,	J. R. JOHNSTON,
F. M. CARTER,	R. G. RICHARDS.

On motion of Mr. Curtiss, the Senate adjourned.

Attest:

ALLEN O. MYERS, *Clerk.*

WEDNESDAY, *March* 26, 1879—10 o'CLOCK A.M.

The Senate met pursuant to adjournment.

The Journal was read and approved.

Mr. Wagener presented the petition of C. H. Snyder and 39 other citizens of Belmont county, requesting the passage of H. B. No. 619, providing for local option.

Which was referred to the committee on Sanitary Laws and Regulations.

Mr Dungan presented the petition of E. J. Buckley and 124 other citizens of Jackson county, praying for a reduction of salaries to conform to the reduction in labor and products.

Which was referred to the committee on Fees and Salaries.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The Speaker of the House of Representatives has, in the presence of the House, signed the following bills and joint resolution:

S. B. No. 214—Mr. Tyler—To amend section two of an act entitled an act to authorize the Commissioners of Brown county, Ohio, to construct a free turnpike road from the terminus of the Ripley and Hillsborough free turnpike road to the Highland county line, and to construct a free turnpike road from the terminus of the Arnheim free turnpike road via Sardenia to the Highland county line; also from the terminus of the Mt. Oreb and Benton free turnpike road via Greenbush to the terminus of the Fayetteville and Charleston free turnpike road, passed April 17, 1878, (O. L., Vol. 75, p. 1122).

S. J. R. No. 69 Mr. Johnston—Providing for the printing and binding of additional copies of the Secretary of State's report for distribution among members.

S. B. No. 300—Mr. Johnston—To repeal sections seven, eight and nine of chapter one, of title four of the laws relating to error, mandamus and quo warranto, (O. L., Vol. 75, p. 805.)

S. B. No. 305—Mr. Saltzgaber—To authorize the Trustees of the township of Marion, Allen county, Ohio, to transfer funds therein named.

S. B. No. 269—Mr. Fisher—To authorize the Commissioners of Coshoc-ton county to transfer funds therein named.

S. B. No. 210—Mr. Curtiss—Providing for increasing the levy for poor purposes in certain townships.

S. B. No. 264—Mr. Forrest—To amend section five, of chapter two, of division three of an act to amend, revise and consolidate the statutes relating to municipal corporations, to be known as title twelve, part one of an act to revise and consolidate the general statutes of Ohio, passed May 14, 1878, (Vol. 75, O. L., p. 192.)

S. B. No. 285—Mr. Marsh—To authorize the purchase of additional fair-grounds for the use of county agricultural societies in certain cases, and to repeal a certain act herein named.

H. B. No. 575—Mr. Poe—Supplementary to an act entitled an act supplementary to an act entitled an act supplementary to an act entitled an act to provide for the organization and government of municipal corporations, passed April 27, 1872, passed April 6, 1876.

H. B. No. 793—Mr. Hart—To authorize the County Commissioners of Knox county to aid the county agricultural society of said county.

H. B. No. 763—Mr. Levering—To amend section one of an act to authorize the creation of a special school district in Canaan township, Morrow county, (Vol. 75, pp. 1161 and 1162, O. L.), passed and took effect May 13, 1878.

H. B. No. 733—Mr. Eylar—For the relief of Julia A. Trent, a teacher in the Manchester public school.

H. B. No. 756—Mr. Luccock—To authorize the Commissioners of Guernsey county to build a Court-house.

H. B. No. 458—Mr. Hayman—To authorize the Commissioners of Scioto county to purchase toll-road and levy a tax to pay for same.

H. B. No. 821—Mr. Crosson—Authorizing the Councie of the village of Milford to transfer certain funds.

H. B. No. 918—Mr. Carpenter—To authorize the Trustees of Sutton township, Meigs county, to pay damages for the removal of county road.

Attest:

L. A. BRUNNER, *Clerk*.

The President, in presence of the Senate, signed said bills and joint resolution.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bill, in which the concurrence of the Senate is requested:

H. B. No. 872—Mr. Rimer—For the relief of Jacob Gehres and others, sureties on the official bond of Peter F. Feigert, late Treasurer of Van Wert county, Ohio.

Attest:

L. A. BRUNNER, *Clerk*.

Said bill was read the first time.

Bills were read the second time and referred, as follows:

H. B. No. 833—Mr. Estill—To amend the act of May 7, 1878, entitled an act to revise and consolidate the laws relating to procedure in the Probate Court, (Vol. 75, p. 836).

Committee on the Judiciary.

H. B. No. 717—Mr. Achauer—To amend section seven of an act entitled an act to provide for establishing an insurance department in the State of Ohio, as amended May 5, 1878, (O. L., Vol. 75, p. 576.)

Committee on Insurance.

H. B. No. 870—Mr. Estill—To authorize the Board of Education of Paint township, in Holmes county, to transfer certain funds from the contingent fund to the tuition fund.

Committee on Finance.

H. B. No. 898—Mr. White—To authorize the Agricultural Society of Franklin county to borrow money.

Committee on Agriculture.

H. B. No. 831—Mr. Perkins—To authorize the Council of the village of Wadsworth to transfer funds.

Committee on Finance.

Substitute for H. B. No. 537—Mr. Dawson—To authorize the town Council of the incorporated village of New Lexington, in Highland county, Ohio, to transfer certain funds from the village prison fund to the street fund.

Committee on Finance.

H. B. No. 828—Mr. Quinn—To authorize the Council of the incorporated village of Mt. Sterling, Madison county, Ohio, to transfer money from the sewer fund to the sinking fund.

Committee on Municipal Corporations.

H. B. No. 812—Mr. Hostetter—To provide for the straightening, clear-

ing out, widening, deepening, and otherwise improving Mud creek and Greenville creek, also their tributaries, in Darke county, Ohio.

Committee on Railroads, Telegraphs and Turnpikes.

The Senate proceeded to the special order of the hour, viz.:

S. B. No. 308—Mr. Forrest—To revise and consolidate the general statutes of Ohio.

The question being on Mr. Jackson of Perry's motion, to refer the bill to the committee on the Judiciary with instructions—

After discussion, Mr. Jackson of Perry asked unanimous consent to withdraw said motion to refer.

Which was granted.

Mr. Saltzgaber moved to amend said S. B. No. 308, by striking out the following matter, viz.:

Part First In Title I.—Preliminary: Strike out all after the words "section 1", page 2.

In Title II.—Legislative: Strike out all after the words "section 1", page 10.

In Title III. Executive: Strike out all after the words "section 1", page 35.

In Title IV.—Judicial: Strike out all after the words "section 1", page 172.

In Title V.—Benevolent Institutions: Strike out all after the words "section 1", page 257.

In Title VI.—Public Buildings: Strike out all after the words "section 1", page 328.

In Title VII.—Counties: Strike out all after the words "section 1", page 344.

In Title VIII.—County Officers: Strike out all after the words "section 1", page 356.

In Title IX.—Compensation of Officers: Strike out all after the words "section 1", page 521.

In Title X.—Townships: Strike out all after the words "section 1", page 548.

In Title XI.—Township Officers: Strike out all after the words "section 1", page 561.

In Title XIV.—Elections: Strike out all after the words "section 1."

In Part Second—Title I.—Persons: Strike out all after the words "section 1."

Title II.—Corporation: Strike out all after the words "section 1".

Title III.—Schools: Strike out all after the words "section 1".

Title IV.—Property: Strike out all after the words "section 1".

Title V.—Police Regulations: Strike out all after the words "section 1."

Title VI.—Drainage: Strike out all after the words "section 1".

Title VII.—Public Ways: Strike out all after the words "section 1."

Said amendments were agreed to.

Said bill was then ordered to be engrossed and read the third time now, and was then read.

Mr. Owens moved that the further consideration of said bill be postponed and made the special order of the hour for 4 o'clock P.M. to-day.

Which was agreed to.

Leave of absence was asked and obtained for Frank Davis, Assistant Sergeant-at-Arms, to accompany special committee under S. R. No. 89.

Mr. Tyler submitted the following report :

The standing committee on Benevolent Institutions, to whom was referred the appointment of Thomas D. Styles, of Fort Jefferson, Darke county, to be a Trustee of the Dayton Asylum for the Insane, for the term of five years, from April 4, 1879—having had the same under consideration, report it back, and recommend his confirmation.

GEO. P. TYLER,	H. W. CURTISS,
G. A. GROVE,	D. D. BEEBE.
THEO. MARSH,	

The question being on advising and consenting to said appointment, the yeas and nays were taken, and resulted—yeas 29, nays none, as follow :

Those who voted in the affirmative were —

Messrs. Armstrong, Beebe, Beer, Carlisle, Curtiss, Dungan, Fisher, Forrest, Grove, Howland, Irvine, Jackson of Clinton, Jackson of Perry, Joy, Kelley, Krimmel, Lord, Marsh, Owens, Parker, Richards, Sabine, Saltzgaber, Seitz, Sherrick, Stokes, Tyler, Wagener and Williams—29.

So the Senate advised and consented to said appointment.

Mr. Joy submitted the following report :

The standing committee on Penitentiary, to whom was referred the appointment of Isaac G. Peetry, to be a Director of the Ohio Penitentiary, for the term of five years, from April 1, 1879—having had the same under consideration, report it back, and recommend his confirmation.

H. W. CURTISS,	THEO. MARSH,
WM. H. STOKES,	H. SABINE,
GEO. P. TYLER,	D. JOY.

The question being on advising and consenting to said appointment, the yeas and nays were taken, and resulted—yeas 28, nays none, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Carlisle, Curtiss, Dungan, Fisher, Grove, Howland, Irvine, Jackson of Clinton, Jackson of Perry, Joy, Kelley, Krimmel, Lord, Marsh, Owens, Parker, Richards, Sabine, Saltzgaber, Seitz, Sherrick, Stokes, Tyler, Wagener and Williams - 28.

So the Senate advised and consented to said appointment.

The following bills were introduced, and read the first time :

S. B. No. 329 - Mr. Tyler—To authorize the Commissioners of Brown county, Ohio, to construct certain free turnpike roads.

S. B. No. 330—Mr. Lord—To amend sections one, two, three, four, twenty-three and twenty-five, and to repeal section twenty-four, of chapter two, division seven of the act entitled an act to amend, revise and consolidate the statutes relating to municipal corporations, to be known as title twelve, part one of the act to revise and consolidate the general statutes of Ohio, passed May 14, 1878.

Mr. Saltzgaber moved that the constitutional rule, requiring bills to be read on three different days, be suspended, that H. B. No. 872 may be read the second time.

On which motion the yeas and nays were taken, and resulted—yeas 30, nays none, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Carlisle, Curtiss, Dungan, Fisher, Forrest, Grove, Howland, Irvine, Jackson of Clinton, Jackson of Perry,

Johnston, Joy, Kelley, Krimmel, Lord, Marsh, Owens, Parker, Richards, Sabine, Saltzgaber, Seitz, Sherrick, Stokes, Tyler, Wagener and Williams—30.

So the motion was agreed to, and the bill was read the second time, and, on motion, referred to the committee on Finance.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has concurred in Senate amendments Nos. one, four, five, seven, eight and nine, and has refused to concur in amendments Nos. two, three and six to—

H. B. No. 429—Mr. Booth—To regulate the fees of county auditors, clerks of courts, probate judges, sheriffs, treasurers and recorders, and to repeal sections one, two, three, five, six, eight, nine, eleven, sixteen, twenty-four, thirty-nine of an act entitled an act to regulate the fees of probate judges, clerks of the courts, sheriffs, witnesses, jurors, fees in partition, and to repeal certain acts therein named, passed April 18, 1876, (O. L., Vol. 73, p. 127).

Attest:

L. A. BRUNNER, *Clerk*.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The following bills have been introduced in the House of Representatives, and read the first time:

H. B. No. 923—Mr. Hitchcock—To provide for the publication and distribution of the consolidated statutes of Ohio, and to repeal a certain act therein named.

H. B. No. 924—Mr. Oglevee—To amend the act of May 14, 1878, entitled an act to amend, revise and consolidate the statutes relating to municipal corporations, to be known as title twelve, part one of an act to revise and consolidate the general statutes of Ohio, (Vol. 75, O. L., p. 161.)

H. B. No. 925—Mr. Carpenter—To authorize the establishment of a Children's Home in Meigs county.

H. B. No. 926—Mr. Sullivan of Miami—To provide for the election of an additional Judge of the Court of Common Pleas in the second subdivision of the Second Judicial District.

H. B. No. 927—Mr. Wales—To authorize the Auditor of Warren county, Ohio, to issue refunding orders on the Treasurer of said county in favor of certain tax-payers.

H. B. No. 928—Mr. Meuser—To authorize certain municipal corporations to issue bonds to raise money to construct water-works.

H. B. No. 929—Mr. Stubbs—To amend section seven, chapter 11, division 8, title, municipal corporations, passed May 14, 1878, (O. L., p. 380).

H. B. No. 930—Mr. Sturgeon—To regulate the mode of selecting jurors.

H. B. No. 931—Mr. Sextro—To regulate and limit the sale of intoxicating liquors.

H. B. No. 932—Mr. Hendrick—To amend sections fifty-three and fifty-four of an act entitled an act to provide for the creation and regulation of incorporated companies in the State of Ohio, passed May 1, 1852, (S. &

C., pp. 271, 299 and 300), as amended by an act to provide for the creation and regulation of incorporated companies in the State of Ohio, passed April 17, 1867, (S. & C., p. 157), and to provide for the creation and regulation of competing gas and water companies.

Attest:

L. A. BRUNNER, *Clerk*.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has refused to concur in Senate amendments to —

H. B. No. 699—Mr. Bohl—To amend section twenty-three, of chapter one, division five of an act to revise and consolidate the laws relating to civil procedure in Courts of Common Pleas and Superior Courts, in District Courts on appeal, and also the laws relating to procedure in error, mandamus and quo warranto, (O. L., Vol. 75, p. 684.)

Attest:

L. A. BRUNNER, *Clerk*.

Mr. Fisher moved that the Senate adhere to its amendments so said bill.

Mr. Forrest moved to amend said motion by striking out the word “adhere,” and inserting in lieu thereof the word “insist.”

Which was agreed to.

Said motion as amended was then agreed to.

Mr. Howland moved to take from the table H. B. No. 839.

Which was agreed to.

The question being “Shall the bill pass?” the yeas and nays were taken, and resulted—yeas 27, nays none, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Carlisle, Curtiss, Dungan, Grove, Howland, Irvine, Jackson of Clinton, Jackson of Perry, Johnston, Joy, Kelley, Krimmel, Lord, Marsh, Owens, Parker, Richards, Sabine, Saltzgaber, Sherrick, Stokes, Tyler, Wagener and Williams—27.

So the bill passed. The title was agreed to.

Mr. Marsh submitted the following report:

The standing committee on Municipal Corporations, to whom was referred H. B. No. 688—To amend the act of April 11, 1876, entitled an act regarding the maintenance and repair of streets, alleys, etc., in cities of the first class having a population of more than one hundred and fifty thousand inhabitants at the last federal census, (73, O. L., p. 212)—having had the same under consideration, report it back, and recommend its passage.

THEO. MARSH,

G. A. GROVE,

L. J. JACKSON,

G. M. SALTZGABER.

Said bill was ordered to be engrossed and read the third time to-morrow.

Mr. Richards submitted the following report:

The standing committee on Common Schools and School Lands, to whom was referred H. B. No. 864—To consolidate the territory comprising the township of New London, in Huron county, Ohio, into a special school district—having had the same under consideration, report it back, and recommend its passage.

R. G. RICHARDS,

THOS. M. BEER,

D. WAGENER,

C. F. KRIMMEL,

G. A. GROVE,

Said bill was ordered to be engrossed and read the third time now, and was then read.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 21, nays none, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Carlisle, Curtiss, Forrest, Grove, Howland, Irvine, Jackson of Clinton, Jackson of Perry, Johnston, Kelley, Krimmel, Marsh, Parker, Richards, Sabine, Stokes, Tyler and Wagener—21.

So the bill passed. The title was agreed to.

Mr. Marsh submitted the following report :

The standing committee on Municipal Corporations, to whom was referred H. B. No. 773—To authorize the village Council of the incorporated village of Clarksville, Clinton county, Ohio, to levy a tax and issue bonds to raise money to build a Mayor's office and corporation prison having had the same under consideration, report it back, and recommend its passage.

THEO. MARSH,	G. A. GROVE,
G. M. SALTZGABER,	R. G. RICHARDS.

Said bill was ordered to be engrossed and read the third time to-morrow.

Mr. Beer submitted the following report :

The standing committee on Finance, to whom was referred H. B. No. 831—To authorize the Council of the village of Wadsworth to transfer funds—having had the same under consideration, report it back, and recommend its passage.

JOHNSON SHERRICK,	H. C. LORD,
J. C. FISHER,	H. W. CURTISS,
JOHN SEITZ,	THOS. M. BEER.

Said bill was ordered to be engrossed and read the third time to-morrow.

Mr. Armstrong submitted the following report :

The standing committee on Ohio Soldiers' and Sailors' Orphans' Home, to whom was referred S. J. R. No. 86—To investigate alleged charges against officials of the Soldiers' and Sailors' Orphans' Home—having had the same under consideration, report it back, and recommend the adoption of the following substitute :

WHEREAS, Grave charges have been made in the newspapers and otherwise, of gross misconduct on the part of certain officials and employes of the Ohio Soldiers' and Sailors' Orphans' Home ; therefore,

Be it resolved by the General Assembly of the State of Ohio, That the Trustees of said institution are hereby authorized and required to investigate said charges and rumors, to send for persons and papers, to take testimony, administer oaths in that behalf, and report the results of their labors to the General Assembly.

J. M. ARMSTRONG,	C. F. KRIMMEL,
J. B. WILLIAMS,	W. H. STOKES,
GEO. P. TYLER,	JOHN SEITZ.

Said substitute was agreed to.

The question being on the adoption of the joint resolution, the yeas and nays were ordered, taken, and resulted—yeas 25, nays none, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Carlisle, Curtiss, Dungan, Forrest, Grove, Howland, Irvine, Jackson of Perry, Johnston, Kelley, Krimmel, Marsh, Owens, Parker, Richards, Sabine, Saltzgaber, Seitz, Sherrick, Stokes, Tyler and Wagener—25.

So the joint resolution was adopted.

On motion of Mr. Beer, the Senate took a recess.

THREE O'CLOCK P.M.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has adopted the following joint resolution, in which the concurrence of the Senate is requested:

H. J. R. No. 106—Mr. McCoy of Lawrence—Directing the admission of Henry D. Ward to the Athens Asylum for Insane.

Attest:

L. A. BRUNNER, *Clerk*.

The question being on the adoption of the joint resolution, the yeas and nays were taken, and resulted—yeas 23, nays none, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Curtiss, Dungan, Fisher, Grove, Howland, Jackson of Clinton, Johnston, Joy, Kelley, Lord, Owens, Parker, Richards, Sabine, Seitz, Tyler, Wagener and Williams—23.

So said joint resolution was adopted.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has indefinitely postponed the following bill:

S. B. No. 204—Mr. Richards—To discontinue schools in districts where the average daily attendance shall fall below a number therein specified.

Attest:

L. A. BRUNNER, *Clerk*.

H. B. No. 705—Mr. Dawson—To authorize the Commissioners of Highland county to locate and construct turnpike roads—was read the third time.

The question being “Shall the bill pass?” the yeas and nays were taken, and resulted—yeas 20, nays none, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Carlisle, Curtiss, Dungan, Fisher, Howland, Jackson of Clinton, Jackson of Perry, Joy, Kelley, Krimmel, Lord, Parker, Richards, Sabine, Stokes, Tyler and Williams—20.

So the bill passed. The title was agreed to.

The Senate then proceeded to the consideration of the special order for 11 A.M. to-day, viz.:

S. B. No. 256—Mr. Dungan—To revise and consolidate the statutes relating to county officers.

The question being on adopting the several amendments reported by the committee—

Amendments Nos. 14 and 54 were disagreed to.

The following amendments were agreed to:

Nos. 1, 2, 3, 4, 5, 7, 8, 10, 12, 13, 15, 16, 17, 18, 19, 20, 21, 22, 23, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 48, 49, 50, 51, 52, 53 and 55.

Mr. Howland moved to substitute for amendment No. 6 the following: Strike out all of section 17, and insert the following:

The board are authorized to compound for or release in whole or in part any debt due the county, and for the use thereof, or any judgment rendered in any civil action on any such claim, except in cases where it or either of its members is personally interested. When any such claim or judgment is compounded or released in whole or in part, the commissioners shall enter upon their journal a statement of the facts in the case, and the reasons that governed them in making such release or compromise.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 11, nays 13, as follow:

Those who voted in the affirmative were—

Messrs. Beebe, Beer, Curtiss, Howland, Jackson of Clinton, Jackson of Perry, Johnston, Kelley, Richards, Sabine and Saltzgaber—11.

Those who voted in the negative were—

Messrs. Dungan, Fisher, Forrest, Grove, Irvine, Krimmel, Owens, Parker, Seitz, Steedman, Stokes, Wagener and Williams—13.

So the motion was disagreed to.

The question being on agreeing to amendment No. 6, the yeas and nays were demanded, taken, and resulted—yeas 16, nays 10, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Carlisle, Dungan, Fisher, Forrest, Grove, Krimmel, Parker, Saltzgaber, Seitz, Sherrick, Steedman, Stokes, Tyler, Wagener and Williams—16.

Those who voted in the negative were—

Messrs. Beebe, Beer, Curtiss, Howland, Jackson of Clinton, Johnston, Kelley, Owens, Richards and Sabine—10.

So said amendment was agreed to.

Amendment No. 9 was agreed to.

The question then being on agreeing to amendment No. 24, in section 6, line 7, to strike out "at pleasure", and insert "for cause"; and on page 401, line 6, strike out "articles of"—

Mr. Richards demanded a division of the question.

The question being on striking out the words "at pleasure", and inserting "for cause", the yeas and nays were demanded, taken, and resulted—yeas 12, nays 16, as follow:

Those who voted in the affirmative were—

Messrs. Beer, Benson, Dungan, Forrest, Grove, Parker, Seitz, Sherrick, Stokes, Tyler, Wagener and Williams—12.

Those who voted in the negative were—

Messrs. Armstrong, Beebe, Carlisle, Curtiss, Fisher, Howland, Irvine, Jackson of Clinton, Jackson of Perry, Johnston, Kelley, Owens, Richards, Sabine, Saltzgaber and Steedman—16.

So the motion was disagreed to.

The question then being on agreeing to the motion to strike out "articles of", on page 401, line 6, the same was agreed to.

Amendment No. 38½ was agreed to.

The question then being on agreeing to amendment No. 47—

Mr. Saltzgaber moved to substitute the following therefor:

Section 21, line 4, after "hundred words," add: "actually written on the record."

Which was agreed to.

The amendment as amended was then agreed to.

Mr. Beer moved to amend said S. B. No. 256 as follows:

Page 515, section 27, line 5, after the word "officer," insert: "or receive any costs for himself or any other officer."

Said amendment was agreed to.

Mr. Curtiss moved that the further consideration of said bill be postponed until to-morrow at 10½ o'clock A. M., and made the special order of that hour.

Which was agreed to.

The Senate then proceeded to the consideration of the special order for 4 o'clock P.M., viz.:

S. B. No. 308—Mr. Forrest—To revise and consolidate the general statutes of Ohio.

Mr. Johnston moved to refer the bill to a select committee of one, with instructions to amend as follows:

Strike out sections 7, 8 and 9, of chapter 1 of the title relating to error, mandamus and quo warranto.

Which was disagreed to.

Mr. Jackson of Perry moved to refer the bill to a select committee of one, with instructions to amend as follows:

Page 654, section 3, sub-division 8, strike out all of sub-division after figure 8, and insert: "If the deposition of a party who has died during the pending of a suit have been taken, the opposite party may testify as to all matters and things contained in said depositions, and not excluded for irrelevancy or inadmissibility."

On which motion the yeas and nays were demanded, taken, and resulted—yeas 13, nays 15, as follow:

Those who voted in the affirmative were—

Messrs. Beebe, Beer, Carlisle, Curtiss, Howland, Jackson of Clinton, Jackson of Perry, Johnston, Kelley, Owens, Richards, Sabine and Williams—13.

Those who voted in the negative were—

Messrs. Armstrong, Benson, Dungan, Fisher, Forrest, Grove, Irvine, Parker, Saltzgaber, Seitz, Sherrick, Steedman, Stokes, Tyler and Wagener—15.

So the motion was disagreed to.

Mr. Forrest moved to refer the bill to a select committee of one, with instructions to amend as follows:

Strike out all in red ink on page 977.

Which was agreed to, and Mr. Forrest was appointed such committee, and reported the bill back amended as instructed.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 20, nays 6, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Beer, Benson, Carlisle, Dungan, Fisher, Forrest, Grove, Irvine, Jackson of Perry, Owens, Parker, Saltzgaber, Seitz, Sherrick, Steedman, Stokes, Tyler, Wagener and Williams—20.

Those who voted in the negative were—

Messrs. Howland, Jackson of Clinton, Johnston, Kelley, Richards and Sabine—6.

So the bill passed. The title was agreed to.

Mr. Saltzgaber moved that the consideration of S. B. No. 200 be postponed until to-morrow morning at 11 o'clock, and made the special order for that hour.

Which was agreed to.

On motion of Mr. Owens, the Senate adjourned.

Attest :

ALLEN O. MYERS, *Clerk.*

THURSDAY, *March 27, 1879—10 o'clock A.M.*

The Senate met pursuant to adjournment.

Prayer by Rev. J. F. Hamilton.

The Journal was read and approved.

Mr. Curtiss presented the petition of Harry Sorter and 17 other citizens of Mayfield, Cuyahoga county, asking that if the Foster Infirmary Bill should pass, the township of Mayfield be excluded from the territory to be taxed for such purpose.

Which was referred to the committee on Finance.

Mr. Curtiss presented the remonstrance of A. H. Skeels and 37 other citizens of Bricksville, Cuyahoga county, against the passage of Foster's Infirmary Bill, and ask that if the bill should pass, that the township of Bricksville be excluded from the territory to be taxed for such purpose.

Which was referred to the committee on Finance.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The House of Representatives has concurred in the report of the committee of Conference on—

H. B. No. 737—Mr. Alexander—Making appropriations for deficiencies which are payable out of the general revenue fund.

Attest :

L. A. BRUNNER, *Clerk.*

Mr. Curtiss submitted the following report :

The committee of Conference, to which was referred the subject-matter of difference between the Senate and House, as to the sixth Senate amendment to H. B. No. 737—Making appropriations for deficiencies which are payable out of the general revenue fund—has conferred upon the subject and agree to recommend that the House concur in said Senate amendments.

H. W. CURTISS,
J. C. FISHER,

Committee on part of the Senate.

R. J. ALEXANDER,
P. HITCHCOCK,

Committee on part of the House.

The question being on agreeing to said report, the yeas and nays were taken, and resulted—yeas 21, nays none, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Curtiss, Dungan, Fisher, Forrest, Howland, Joy, Kelley, Lord, Owens, Richards, Saltzgaber, Seitz, Sherrick, Stokes, Tyler, Wagener and Williams—21.

So said report was agreed to.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The House of Representatives has concurred in the passage of the following bill :

S. B. No. 303—Mr. Sabine—To authorize the Commissioners of Marion county to borrow money to pay an indebtedness of the Marion and Mansfield free turnpike road, and to levy and assess a tax for the payment thereof.

Attest :

L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The Speaker of the House of Representatives has, in the presence of the House, signed the following bill :

H. B. No. 737—Mr. Alexander - Making appropriations for deficiencies which are payable out of the general revenue fund.

Attest :

L. A. BRUNNER, *Clerk.*

The President, in presence of the Senate, signed said bill.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The following bills have been introduced in the House of Representatives, and read the first time :

H. B. No. 933—Mr. Baker—To reduce the fees of county officers.

H. B. No. 934—Mr. Poe - Limiting the compensation of certain officers therein named.

H. B. No. 935—Mr. Hitchcock —To authorize the purchase and sale of certain buildings and land in Hampden, Geauga county.

H. B. No. 936—Mr. Groshner—To authorize a certain improvement in the village of Napoleon.

H. B. No. 938—Mr. Turner—To create two election precincts in the township of Clay, Montgomery county.

H. B. No. 939 - Mr. Hume -To authorize the Commissioners of Shelby county to build bridges across the feeder of the Miami canal in said county.

H. B. No. 940 - Mr. Wright—Supplementary to an act entitled an act to regulate the admission and practice of attorneys and counselors at law, passed February 14, 1824, (S. & C., 92).

H. B. No. 941—Mr. Edwards—To provide for the control and management of the Central or High School in the village of Hubbard, Trumbull county.

H. B. No. 942—Mr. Smead—To authorize the Council of the incorporated village of Madison, Lake county, to borrow money and issue bonds to construct a vault for the reception of the bodies of the dead.

H. B. No. 943—Mr. Estill—To authorize the Board of Education of the village of Millersburg to borrow money and levy a tax to pay indebtedness and repair school-house.

H. B. No. 944—Mr. Sawyer—To amend an act passed May 13, 1878, entitled an act for the reorganization and better management of the Soldiers' and Sailors' Orphans' Home, located at Xenia, and to repeal certain sections therein named, (O. L., Vol. 75, p. 591.)

H. B. No. 945—Mr. Turner—To authorize the incorporation of free avenue companies.

H. B. No. 946—Mr. Wales—To amend section sixteen, of chapter three, part four, title one of an act entitled an act to revise and consolidate the statutes relating to crimes and offenses against the person.

H. B. No. 947—Mr. Leggett—To amend section twenty-one, chapter three of an act entitled an act to amend, revise and consolidate the statutes relating to crimes and offenses.

H. B. No. 948—Mr. Brown of Putnam—To provide for the establishment and construction of certain ditches, drains, and water-courses in Putnam county, Ohio.

H. B. No. 949—Mr. Dawson—To authorize the County Commissioners of Highland county to build a jail.

H. B. No. 950—Mr. Guthery—Relative to indexing judgments not dormant.

Attest:

L. A. BRUNNER, *Clerk*,

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bill, in which the concurrence of the Senate is requested:

H. B. No. 832—Mr. Quinby—To authorize the Commissioners of Fayette county to refund and pay to Evans James certain moneys wrongfully assessed against him.

Attest:

L. A. BRUNNER, *Clerk*.

Said bill was read the first time.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has concurred in Senate amendment to—

H. B. No. 839—Mr. Hitchcock—Supplementary to an act to authorize township Trustees of any township in the State to levy a tax for purchasing a hearse and erecting a vault, passed March 14, 1878, (Vol. 75, p. 46.)

Attest:

L. A. BRUNNER, *Clerk*.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The House of Representatives has appointed Messrs. Bohl, Clough and Covert a committee of Conference, to consider the differences existing between the two Houses on—

H. B. No. 699—Mr. Bohl—To amend section twenty-three, of chapter one, division five of an act to revise and consolidate the laws relating to civil procedure in Courts of Common Pleas and Superior Courts, in District Courts on appeal, and also the laws relating to procedure in error, mandamus and quo warranto, (O. L., Vol. 75, p. 684)—and request the appointment of a like committee by the Senate.

Attest:

L. A. BRUNNER, *Clerk.*

Mr. Curtiss moved that the Senate accede to the request of the House. Which was agreed to.

The President appointed Messrs. Curtiss, Owens and Steedman as such Conference committee on part of the Senate.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The House of Representatives has concurred in the passage of the following bill :

S. B. No. 310—Mr. Sabine—For the relief of the heirs of R. W. Davis and J. R. Cahill, of York township, Union county, Ohio.

Attest:

L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The House of Representatives has concurred in the passage of the following bill :

S. B. No. 257—Mr. Sherrick—Prescribing the rate of State taxes, and to repeal an act therein named, (O. L., Vol. 73, p. 114.)

Attest:

L. A. BRUNNER, *Clerk.*

The Senate then proceeded to the special order of the hour, viz.:

S. B. No. 256—Mr. Dungan—To revise and consolidate the statutes relating to county officers.

Said bill was ordered to be engrossed and read the third time now, and was then read.

Mr. Dungan moved to refer the bill to a select committee of one, with instructions to amend as follows :

Section 21, of chapter 9, page 511, in lines 10, 11 and 12, by striking out "for issuing venire for jury, to be charged in each case wherein there is an issue made up, fifteen cents."

Which was agreed to, and Mr. Dungan was appointed such committee, and reported the bill back amended as instructed.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 21, nays 1, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Benson, Carlisle, Curtiss, Dungan, Fisher, Forrest, Grove, Irvine, Krimmel, Owens, Parker, Saltzgaber, Seitz, Sherrick, Steedman, Stokes, Tyler, Wagener and Williams—21.

Mr. Sabine voted in the negative.

So the bill passed. The title was agreed to.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The Speaker of the House of Representatives has, in the presence of the House, signed the following bill and joint resolutions:

H. B. No. 675—Mr. Greene—Supplementary to an act entitled an act to authorize the Trustees of Silver Creek township, Greene county, to loan certain moneys, as amended March 15, 1875, passed April 28, 1876, (O. L., Vol. 73, p. 289).

H. J. R. No. 104—Mr. Hostetter—Authorizing the Governor to execute a deed to John Ford, assignee of William Moore.

H. J. R. No. 106—Mr. McCoy of Lawrence—Directing the admission of Henry D. Ward to Athens Asylum for Insane.

Attest:

L. A. BRUNNER, *Clerk*.

The President, in presence of the Senate, signed said bill and joint resolutions.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bills, in which the concurrence of the Senate is requested:

H. B. No. 710—Mr. Eylar To amend an act supplementary to an act entitled an act for the reorganization and maintenance of common schools, passed May 1, 1873, and revised May, 1875.

H. B. No. 787—Mr. Bloom—Revising and consolidating the statutes relating to township offices.

Attest:

L. A. BRUNNER, *Clerk*.

Said bills were read the first time.

The Senate then proceeded to the special order of the hour, viz.:

S. B. No. 200—Mr. Saltzgaber—To revise and consolidate the laws relating to property.

The question being on Mr. Forrest's motion, to refer with instructions—

Mr. Forrest asked unanimous leave to withdraw said motion to refer.

Which was granted.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 26, nays none, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Curtiss, Dungan, Fisher, Forrest, Grove, Howland, Irvine, Joy, Kelley, Krimmel, Lord, Owens, Richards, Saltzgaber, Seitz, Sherrick, Steedman, Stokes, Tyler, Wagener and Williams—26.

So the bill passed. The title was agreed to.

Bills were read the second time and referred, as follows :

S. B. No. 329—Mr. Tyler—To authorize the Commissioners of Brown county, Ohio, to construct certain free turnpike roads.

Committee on Railroads, Telegraphs and Turnpikes.

S. B. No. 330—Mr. Lord—To amend sections one, two, three, four, twenty-three and twenty-five, and to repeal section twenty-four, of chapter two, division seven of the act entitled an act to amend, revise and consolidate the statutes relating to municipal corporations, to be known as title twelve, part one of the act to revise and consolidate the general statutes of Ohio, passed May 14, 1878.

Select committee of four—the Senators from Hamilton county.

S. B. No. 309—Mr. Krimmel—For the payment of claim of S. N. Field—was read the third time.

The question being “Shall the bill pass?” the yeas and nays were taken, and resulted—yeas 22, nays 6, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Curtiss, Grove, Howland, Irvine, Jackson of Perry, Joy, Kelley, Krimmel, Lord, Owens, Richards, Sabine, Steedman, Stokes, Tyler, Wagener and Williams—22.

Those who voted in the negative were—

Messrs. Dungan, Fisher, Parker, Saltzgaber, Seitz and Sherrick—6.

So the bill, having failed to receive the constitutional majority of two-thirds, was lost.

Mr. Carlisle moved that the vote whereby S. B. No. 309 was lost be reconsidered.

Which was agreed to.

On motion of Mr. Owens, said bill was laid on the table.

H. B. No. 728—Mr. Foster—To amend sections two and three of an act to authorize Boards of Education in certain cities to appoint library committees and levy a tax for school purposes, passed April 8, 1878, (Vol. 75, p. 101)—was read the third time.

The question being “Shall the bill pass?” the yeas and nays were taken, and resulted—yeas 24, nays none, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Carlisle, Curtiss, Fisher, Forrest, Grove, Howland, Irvine, Jackson of Perry, Kelley, Krimmel, Lord, Owens, Parker, Richards, Sabine, Saltzgaber, Sherrick, Steedman, Stokes, Tyler and Wagener—24.

So the bill passed. The title was agreed to.

Mr. Kelley moved that the Senate take a recess.

Which was disagreed to.

H. B. No. 827—Mr. Luccock—For the relief of Landon Heskitt—was read the third time.

The question being “Shall the bill pass?” the yeas and nays were taken, and resulted—yeas 23, nays none, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Curtiss, Dungan, Fisher, Forrest, Grove, Howland, Irvine, Joy, Kelley, Richards, Sabine, Saltzgaber, Seitz, Sherrick, Steedman, Stokes, Wagener and Williams—23.

So the bill passed. The title was agreed to.

S. B. No. 306—Mr. Curtis—To amend section five, chapter five, subdivision one of an act entitled an act to revise and consolidate the laws

relating to civil procedure in Courts of Common Pleas and Superior Courts, in District Courts on appeal, and also the laws relating to procedure in error, mandamus and quo warranto, (Laws of 1878, pp. 597-614)—was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 27, nays none, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Curtiss, Dungan, Fisher, Forrest, Grove, Howland, Irvine, Joy, Kelley, Krimmel, Lord, Owens, Parker, Richards, Sabine, Saltzgaber, Seitz, Steedman, Stokes, Tyler, Wagener and Williams—27.

So the bill passed. The title was agreed to.

Mr. Carlisle moved that the Senate take a recess.

Which was disagreed to.

S. B. No. 293 Mr. Forrest—To exempt certain property of benevolent institutions from seizure and sale on execution—was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 28, nays none, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Curtiss, Dungan, Fisher, Forrest, Grove, Howland, Irvine, Jackson of Perry, Joy, Kelley, Krimmel, Lord, Owens, Richards, Sabine, Saltzgaber, Seitz, Sherrick, Steedman, Stokes, Tyler, Wagener and Williams—28.

So the bill passed. The title was agreed to.

On demand of Mr. Richards, a call of the Senate was had.

Twenty-nine Senators answered to their names.

Messrs. Williams, Jackson of Clinton and McDonald were absent without leave.

Mr. Benson moved that further proceedings under the call be dispensed with.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 26, nays 1, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Curtiss, Dungan, Fisher, Forrest, Grove, Howland, Irvine, Jackson of Perry, Joy, Kelley, Krimmel, Lord, Parker, Richards, Sabine, Saltzgaber, Seitz, Steedman, Stokes, Tyler and Wagener—26.

Mr. Sherrick voted in the negative.

So the motion was agreed to.

On motion of Mr. Sherrick, the Senate took a recess.

THREE O'CLOCK P.M.

H. B. No. 688—Mr. Sullivan of Hamilton—To amend the act of April 11, 1878, entitled an act regarding the maintenance and repair of streets, alleys, etc., in cities of the first class, having a population of more than one hundred and fifty thousand inhabitants at the last federal census, (73, O. L., p. 212)—was read the third time.

On demand of Mr. Forrest, a call of the Senate was had.

Eighteen Senators answered to their names.

Messrs. Beer, Carlisle, Dungan, Grove, Jackson of Clinton, Jackson of Perry, Kelley, Krimmel, McDonald, Richards, Sabine and Williams were absent.

On motion of Mr. Forrest, the Sergeant-at-Arms was dispatched for absentees.

Messrs. Beer, Richards and Grove having appeared within the bar of the Senate, and answered to their names—

On motion of Mr. Sherrick, further proceedings under the call were dispensed with.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 24, nays none, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Curtiss, Fisher, Forrest, Grove, Howland, Irvine, Jackson of Perry, Krimmel, Lord, Owens, Parker, Saltzgaber, Seitz, Sherrick, Steedman, Stokes, Tyler, Wagener and Williams—24.

So the bill passed. The title was agreed to.

H. B. No. 773—Mr. Quinby—To authorize the village Council of the incorporated village of Clarksville, Clinton county, Ohio, to levy a tax and issue bonds to raise money to build a Mayor's office and corporation prison—was read the third time.

Mr. Lord moved to refer the bill to a select committee of one, with instructions to amend as follows:

In line 9, section 2, strike out the word "seven", and insert in lieu thereof the word "six."

Which was agreed to, and Mr. Lord was appointed such committee, and reported the bill back amended as instructed.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 22, nays none, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Curtiss, Fisher, Forrest, Grove, Howland, Irvine, Kelley, Lord, Parker, Richards, Sabine, Saltzgaber, Steedman, Stokes, Tyler, Wagener and Williams—22.

So the bill passed. The title was agreed to.

H. B. No. 831—Mr. Perkins - To authorize the Council of the village of Wadsworth to transfer funds—was read the first time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 24, nays none, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Curtiss, Fisher, Forrest, Howland, Irvine, Kelley, Krimmel, Lord, Owens, Richards, Sabine, Saltzgaber, Seitz, Sherrick, Steedman, Stokes, Tyler, Wagener and Williams—24.

So the bill passed. The title was agreed to.

S. B. No. 239—Mr. Krimmel—To authorize the arbitration of certain claims against the State—was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 13, nays 11, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Forrest, Grove, Irvine, Joy, Krimmel, Lord, Parker, Steedman, Tyler, Wagener and Williams—13.

Those who voted in the negative were—

Messrs. Beer, Benson, Carlisle, Curtiss, Fisher, Howland, Kelley, Richards, Sabine, Seitz and Sherrick -11.

So the bill, having failed to receive a constitutional majority, was lost.

Mr. Sherrick submitted the following report :

The standing committee on Finance, to whom was referred H. B. No. 872—For the relief of Jacob Gehres and others, sureties on the official bond of Peter F. Feigert, late Treasurer of Van Wert county, Ohio—having had the same under consideration, report it back, and recommend its passage.

H. W. CURTISS,	THOS. M. BEER,
JOHN SEITZ,	H. C. LORD,
J. SHERRICK,	J. C. FISHER.

Said bill was ordered to be engrossed and read the third time now, and was then read.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 23, nays none, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Curtiss, Fisher, Forrest, Grove, Howland, Irvine, Jackson of Perry, Joy, Lord, Parker, Richards, Saltzgaber, Seitz, Sherrick, Steedman, Stokes, Tyler, Wagener and Williams—23.

So the bill passed. The title was agreed to.

Mr. Steedman submitted the following report:

The standing committee on Public Works, to whom was referred S. B. No. 327—To amend the act of May 14, 1878, entitled an act to amend, revise and consolidate the statutes relating to municipal corporations, to be known as title twelve, part one of the act to revise and consolidate the general statutes of Ohio, (Vol. 75, O. L., p. 161)—having had the same under consideration, report it back, and recommend its passage.

JAS. B. STEEDMAN,	LYMAN J. JACKSON,
H. C. LORD,	G. A. GROVE.
G. M. SALTZGABER,	

Said bill was ordered to be engrossed and read the third time now, and was then read.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 21, nays 1, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Curtiss, Fisher, Forrest, Grove, Irvine, Jackson of Perry, Joy, Krimmel, Lord, Richards, Sabine, Sherrick, Steedman, Stokes, Tyler and Williams—21.

Mr. Seitz voted in the negative.

So the bill passed. The title was agreed to.

Mr. Dungan submitted the following report:

The standing committee on Judiciary, to whom was referred H. B. No. 119—To amend and revise the statutes relating to elections, to be known as title fourteen, part one of the act to revise and consolidate the general statutes—having had the same under consideration, report it back, with the following amendment and recommend its passage when so amended:

1. Chapter 1, section 5, line 1, strike out "oath," and insert "notice."
2. Chapter 2, section 6, line 3, after "clerk," insert: "and in each county in this State, in which there shall be a city of the first class, or a city of the first grade of the second class, the sheriff thereof shall provide, at the expense of the county, a sufficient number of ballot-boxes, which shall be so arranged as to stamp each ballot as it is deposited therein with the name of the precinct where voted; and which, as each ballot is

deposited therein, shall indicate on a dial, in figures, visible to all present, the total number of stamped ballots in such box; and which shall also indicate the deposit of each ballot by the sounding of a bell; and which shall be so arranged that two keys and a crank shall be necessary to unlock the box, so as to permit the opening thereof, or the deposit of a ballot therein; for use in said counties, and cause the same to be deposited with the various township or corporation clerks thereof; and at the closing of the polls the two keys and crank shall be distributed among the judges, so that each shall have one. All ballots found in such box that are stamped, shall be counted, and no ballots therein shall be counted unless stamped."

3. Section 14, line 3, after "elector", add: "under the constitution and laws of the State."

4. Section 20, line 2, strike out the words "an actual", twice and once in line 3, and "actually", in line 6 and in line 2, insert "a" before "resident."

5. Section 21, lines 25 and 26, line 25, after "shall", insert "not"; and in line 26, strike out "notwithstanding", and insert "if"; and strike out "may entertain", and insert "entertained."

6. Section 23, line 3, after "paper", insert; "not more than two and one half nor less than two and three-eighths inches wide"; and in line 5, after "tickets", insert: "and it shall be unlawful for any person to print for distribution at the polls, or distribute to any elector, or vote any ballot printed or written contrary to the provisions of this act".

7. Section 27, line 5, after "found", add: "but shall be counted for the name fraudulently omitted."

8. Section 28, add: "and neither shall be counted."

9. Section 32, line 3, after "read", insert "aloud"; line 9, after "poll-books", add: "and any ballots in the box in excess of the number of names on the poll-books, together with the ballots strung as aforesaid, shall be deposited in the box and locked, and the box and contents delivered to the officer authorized to receive and keep the same, and the minority judge of the election shall keep the key or keys, and the box shall remain locked until the expiration of the time within which any legal notice of contest can be given, and if such notice be given, shall remain locked until the trial of such contest."

10. Section 36, line 9, after "same," add: "after the expiration of the time within which any legal notice of contest could be given."

11. Chapter 3, section 4, page 23, line 13, after "politics," insert: "and one german newspaper."

12. Chapter 4, section 3, lines 1 and 2, strike out "seventy-eight," and insert "eighty."

13. Disagree to House amendments on page 18, section 40, line 3, and chapter 2, page 19, section 41, line 2.

IRVINE DUNGAN,
W. T. FORREST,
D. WAGENER,

LYMAN J. JACKSON,
G. M. SALTZGABER,
J. R. JOHNSTON.

On motion of Mr. Forrest, said amendments were ordered to be printed, and the bill was made the special order of the hour for 3 o'clock P.M. tomorrow.

Mr. Howland submitted the following report:

The standing committee on Judiciary, to whom was referred H. B. No.

726—For revising the statutes relating to definitions and general provisions—having had the same under consideration, report it back, with the following amendment, and recommend its passage when so amended:

Strike out all of sections 12 and 13, and renumber the remaining sections, making No. 14. No. 12.

W. P. HOWLAND,	IRVINE DUNGAN,
G. M. SALTZGABER,	LYMAN J. JACKSON,
W. T. FORREST,	D. WAGENER.

Said amendment was agreed to, and the bill was ordered to be engrossed and read the third time to-morrow, and made the special order of the hour for 11:30 A.M.

Mr. Lord submitted the following report:

The standing committee on Finance, to whom was referred H. B. No. No. 786—To extend the time for payment of school lands in section number sixteen, in Green township, Hamilton county, Ohio—having had the same under consideration, report it back, and recommend its passage.

H. C. LORD,	J. C. FISHER,
J. SHERRICK,	H. W. CURTISS.

Said bill was ordered to be engrossed and read the third time to-morrow.

Mr. Beer submitted the following report:

The standing committee on Finance, to whom was referred H. B. No. 870—To authorize the Board of Education of Paint township, in Holmes county, to transfer certain funds from the contingent fund to the tuition fund—having had the same under consideration, report it back, and recommend its passage.

H. W. CURTISS,	JOHN SEITZ,
J. SHERRICK,	H. C. LORD,
J. C. FISHER,	THOS. M. BEER.

Said bill was ordered to be engrossed and read the third time to-morrow.

Mr. Richards submitted the following report:

The standing committee on Municipal Corporations, to whom was referred S. B. No. 315—To authorize the County Commissioners of Jefferson county to transfer certain funds therein named—having had the same under consideration, report it back, and recommend its passage.

R. G. RICHARDS,	LYMAN J. JACKSON,
G. A. GROVE,	G. M. SALTZGABER.

Said bill was ordered to be engrossed and read the third time to-morrow.

Mr. Richards submitted the following report:

The standing committee on Municipal Corporations, to whom was referred H. B. No. 804—To authorize the village of Delta, in Fulton county, Ohio, to transfer certain funds—having had the same under consideration, report it back, and recommend its passage.

R. G. RICHARDS,	JAMES B. STEEDMAN,
G. M. SALTZGABER,	LYMAN J. JACKSON.

Said bill was ordered to be engrossed and read the third time to-morrow.

Mr. Fisher submitted the following report:

The standing committee on Public Expenditures, to whom was referred S. B. No. 274—Supplementary to an act entitled an act to fix the price of legal advertising, passed March 25, 1876, (O. L., Vol. 73, p. 75)—having had the same under consideration, report it back, and recommend the following substitute as an amendment to section two of an act to fix the price of legal advertising, passed March 25, 1876, (O. L., Vol. 73, p. 75):

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That section two be amended to read as follows :

SEC. 2. That hereafter all proclamations by sheriffs for elections; orders fixing times of holding courts; treasurer's notice of rates of taxation; bridge, pike, and ditch notices; notices to contractors, and such other advertisements or notices of general interest to the tax-payers as the auditor, probate judge, treasurer and commissioners may deem proper, shall be published in one newspaper, printed within said county in each of the several counties of this State; but proclamations and notices provided for in this act shall be published in brief, and the "treasurer's notice of rates of taxation" shall specify only the aggregate rate of taxation for all purposes in each township, municipal corporation, school district, or any other district or territory having a different rate to taxation from the township or townships wherein such other district or territory is located in whole or in part. Provided, that the provisions of this act shall in no wise affect existing laws relating to the publication of the notices of delinquent tax and forfeited land sales.

SEC. 2. This act shall take effect and be in force on and after its passage.

G. M. SALTZGABER,	J. B. WILLIAMS,
H. W. CURTISS,	H. SABINE,
J. C. FISHER,	JOHN SEITZ.

On motion of Mr. Owens, said substitute was laid on the table and ordered to be printed.

The following bills were introduced, and read the first time :

S. B. No. 331—Mr. Lord—Supplementary to the act of May 7, 1869, entitled an act supplementary to an act entitled an act to authorize the receivers of insolvent railroad companies to sell unfinished road-beds and ranches, passed May 14, 1869, (66, O. L., 334.)

S. B. No. 332—Mr. Lord—For the better protection of property held in trust for the benefit of religious and other associations.

S. B. No. 333—Mr. Saltzgaber—To amend section forty-five, chapter four of an act to revise and consolidate the laws relating to procedure in the Probate Court, passed May 7, 1878, (75, O. L., 951.)

Mr. Irvine moved to take from the table H. B. No. 796.

Which was agreed to.

Said bill was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 21, nays none, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Benson, Carlisle, Curtiss, Fisher, Forrest, Grove, Howland, Irvine, Jackson of Perry, Kelley, Lord, Parker, Richards, Sabine, Saltzgaber, Seitz, Sherrick, Steedman, Stokes and Tyler—21.

So the bill passed. The title was agreed to.

Mr. Richards moved that the committee on Public Printing be discharged from the consideration of H. J. R. No. 102.

Which was agreed to.

Mr. Forrest moved that said joint resolution be referred back to the committee on Public Printing.

Which was agreed to.

Mr. Fisher submitted the following report :

The committee on Revision has examined, and found correctly engrossed, H. B. No. 773.

J. C. FISHER,
G. M. SALTZGABER.

Mr. Fisher submitted the following report :

The committee on Revision has examined, and found correctly engrossed, S. B. No. 225.

J. C. FISHER,
G. M. SALTZGABER.

Mr. Seitz submitted the following report :

The standing committee on Finance, to whom was referred H. B. No. 537—To authorize the town Council of the incorporated village of New Lexington, in Highland county, to transfer certain funds from the village fund to the street fund—having had the same under consideration, report it back, and recommend its passage.

J. SHERRICK,	THOS. M. BEER,
JOHN SEITZ,	J. C. FISHER.
H. C. LORD,	

Said bill was ordered to be engrossed and read the third time now, and was then read.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 21, nays none, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Curtiss, Dungan, Fisher, Grove, Howland, Kelley, Lord, Parker, Richards, Saltzgaber, Seitz, Sherrick, Steedman, Stokes, Tyler and Williams—21.

So the bill passed. The title was agreed to.

On motion of Mr. Beer, the Senate adjourned.

Attest :

ALLEN O. MYERS, *Clerk.*

FRIDAY, *March* 28, 1879—10 o'clock A.M.

The Senate met pursuant to adjournment.

Prayer by Rev. J. F. Hamilton.

The Journal was read and approved.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The Speaker of the House of Representatives has, in the presence of the House, signed the following bill :

H. B. No. 872—Mr. Rimer—For the relief of Jacob Gehres and others, sureties on the official bond of Peter F. Feigert, late Treasurer of Van Wert county, Ohio.

Attest :

L. A. BRUNNER, *Clerk.*

The President, in presence of the Senate, signed said bills.

Mr. Dungan submitted the following report :

The joint committee on Enrollment has examined, and found correctly enrolled, the following bills and joint resolutions :

H. B. No. 705—To authorize the Commissioners of certain counties to locate and construct turnpike roads.

H. B. No. 872—For the relief of Jacob Gehres and others, sureties on the official bond of Peter F. Feigert, late Treasurer of Van Wert county, Ohio.

H. B. No. 675—Supplementary to an act entitled an act to authorize the Trustees of Silver Creek township, Greene county, to loan certain moneys, as amended March 15, 1875, passed April 8, 1876, (O. L., Vol. 73, p. 289.)

H. J. R. No. 104—Authorizing the Governor to execute a deed to John Ford, assignee of William Moore.

H. J. R. No. 106—Directing the admission of Henry D. Ward into Athens Asylum for Insane.

H. B. No. 737—Making appropriations for deficiencies which are payable out of the general revenue fund.

IRVINE DUNGAN,	A. D. MARSH,
R. G. RICHARDS,	E. S. PERKINS,
J. W. WASHBURN,	C. R. HARMON,
F. M. CARTER,	DUNCAN DOW.

Bills were read the second time and referred, as follows :

H. B. No. 832—Mr. Quinby—To authorize the Commissioners of Fayette county to refund and pay to Evans James certain moneys wrongfully assessed against him.

Committee on Finance.

H. B. No. 710—Mr. Eylar—To amend an act supplementary to an act entitled an act for the reorganization and maintenance of common schools, passed May 1, 1873, and revised May, 1875.

Committee on Common Schools and School Lands.

H. B. No. 787—Mr. Bloom—Revising and consolidating the statutes relating to township officers.

Committee on Municipal Corporations.

S. B. No. 331—Mr. Lord—Supplementary to the act of May 7, 1869, entitled an act supplementary to an act entitled an act to authorize the receivers of insolvent railroad companies to sell unfinished road-beds and franchises, passed May 14, 1869, (66, O. L., 334).

Committee on the Judiciary.

S. B. No. 332—Mr. Lord—For the better protection of property held in trust for the benefit of religious and other associations.

Committee on the Judiciary.

S. B. No. 333—Mr. Saltzgaber—To amend section forty-five, chapter four of an act to revise and consolidate the laws relating to procedure in the Probate Court, passed May 7, 1878, (75, O. L., 951).

Committee on the Judiciary.

H. B. No. 870—Mr. Estill—To authorize the Board of Education of Paint township, in Holmes county, to transfer certain funds from the contingent fund to the tuition fund—was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 23, nays none, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Dungan, Fisher, Forrest, Grove, Howland, Irvine, Kelley, Krimmel, Lord, McDonald, Owens, Parker, Richards, Sabine, Seitz, Sherrick, Stokes, Tyler and Williams—23.

So the bill passed. The title was agreed to.

H. B. No. 786—Mr. Loder—To extend the time for payment of school lands in section number sixteen, in Green township, Hamilton county, Ohio—was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 22, nays none, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Benson, Curtiss, Dungan, Fisher, Forrest, Grove, Howland, Kelley, Krimmel, Lord, McDonald, Owens, Parker, Richards, Sabine, Seitz, Sherrick, Stokes, Tyler and Williams—22.

So the bill passed. The title was agreed to.

H. B. No. 804—Mr. Fenton—To authorize the village of Delta, in Fulton county, Ohio, to transfer certain funds—was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 24, nays none, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Curtiss, Dungan, Fisher, Forrest, Howland, Irvine, Kelley, Krimmel, Lord, McDonald, Owens, Parker, Richards, Sabine, Seitz, Sherrick, Stokes, Tyler, Wagener and Williams—24.

So the bill passed. The title was agreed to.

S. B. No. 315—Mr. Richards—To authorize the County Commissioners of Jefferson county to transfer certain funds therein named—was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 24, nays none, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Curtiss, Dungan, Fisher, Forrest, Grove, Howland, Irvine, Kelley, Krimmel, Lord, McDonald, Owens, Parker, Richards, Seitz, Sherrick, Stokes, Tyler, Wagener and Williams—24.

So the bill passed. The title was agreed to.

Mr. Dungan moved to reconsider the vote whereby S. B. No. 327 was passed.

Mr. Sherrick moved to lay said motion on the table.

Which was agreed to.

Mr. Sabine submitted the following report :

The committee on Railroads and Telegraphs, to whom was referred S. B. No. 329—To authorize the Commissioners of Brown county, Ohio, to construct certain free turnpike roads—having had the same under consideration, report it back, and recommend its passage.

GEO. P. TYLER, D. JOY,
H. C. LORD, THOS. M. BEER.
H. SABINE,

Said bill was ordered to be engrossed and read the third time now, and was then read.

The question being "Shall the bill pass?" the yeas and nays were taken and resulted—yeas 22, nays none, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Curtiss, Dungan, Fisher, Grove, Howland, Irvine, Lord, McDonald, Owens, Richards, Sabine, Saltzgaber, Seitz, Stokes, Tyler, Wagener and Williams—22.

So the bill passed. The title was agreed to.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The House of Representatives has concurred in Senate amendments to -

H. B. No. 773 - Mr. Quinby—To authorize the village Council of the incorporated village of Clarksville, Clinton county, Ohio, to levy a tax and issue bonds to raise money to build a Mayor's office and corporation prison.

Attest :

L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The House of Representatives has concurred in the passage of the following bill :

S. B. No. 231—Mr. Saltzgaber—Supplementary to an act to amend an act to amend an act to authorize the making of real estate indexes, and to further prescribe the duties of county commissioners and recorders in certain counties, passed March 20, 1862, passed April 17, 1867, (Sayler, page 1422).

Attest :

L. A. BRUNNER, *Clerk.*

The Senate then proceeded to the consideration of the special order of the hour, viz. :

H. B. No. 726—Mr. Oglevee—Revising the statutes relating to definitions and general provisions.

Said bill was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken and resulted—yeas 21, nays none, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Benson, Carlisle, Curtiss, Dungan, Fisher, Forrest, Grove, Howland, Irvine, Kelley, Lord, McDonald, Owens, Parker, Richards, Seitz, Stokes, Tyler and Williams—21.

So the bill passed. The title was agreed to.

Mr. Curtiss moved to take from the table S. J. R. No. 19.

Which was agreed to.

Mr. Curtiss moved that said S. J. R. No. 19 be placed on the calendar on Wednesday next.

Which was agreed to.

On motion of Mr. Lord, the Senate took a recess.

THREE O'CLOCK P.M.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The House of Representatives has adopted the following joint resolution, in which the concurrence of the Senate is requested :

Substitute for H. J. R.'s Nos. 68, 73 and 84, from the Judiciary Committee—As to amending the Constitution of the State of Ohio.

Attest :

L. A. BRUNNER, *Clerk.*

On motion of Mr. Beer, said joint resolution was referred to the committee on Privileges and Elections.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The Speaker of the House of Representatives has, in the presence of the House, signed the following bill:

H. B. No. 705—Mr. Dawson To authorize the Commissioners of certain counties to locate and construct turnpike roads.

Attest:

L. A. BRUNNER, *Clerk.*

The President, in presence of the Senate, signed said bill.

Leave of absence was asked and obtained for Mr. Richards for to-day.

Mr. Forrest moved that H. B. No. 119 (the special order of the hour for 3 P.M.) be laid on the table.

Which was agreed to.

On motion of Mr. Lord, the Senate adjourned.

Attest:

ALLEN O. MYERS, *Clerk.*

SATURDAY, *March* 29, 1879—10 o'clock A.M.

The Senate met pursuant to adjournment.

Prayer by Rev. J. F. Hamilton.

The Journal was read and approved.

Leave of absence was asked and obtained for Messrs. Grove, Saltzgaber and Tyler for to-day.

On demand of Mr. Carlisle, a call of the Senate was had.

Fifteen Senators answered to their names.

Messrs. Beer, Benson, Forrest, Jackson of Clinton, Joy, Kelley, Owens, Parker, Sabine, Sherrick, Steedman, Stokes and Williams were absent.

On motion of Mr. Carlisle, the Sergeant-at-Arms was dispatched for absentees.

The Sergeant-at-Arms appeared at the bar of the Senate, and reported, through Mr. Fisher, that he could not find any Senators in the city.

On motion of Mr. Fisher, further proceedings under the call were dispensed with.

Mr. Fisher moved that the Senate adjourn.

Which was disagreed to.

Mr. Krimmel moved to reconsider the vote whereby S. B. No. 239 was lost.

Mr. Curtiss raised the point of order, that the motion was not in order, there being no quorum present.

The President decided the point of order well taken, and declared the Senate adjourned until Monday morning at 10 o'clock.

Attest:

ALLEN O. MYERS, *Clerk.*

MONDAY, *March* 31, 1879—10 o'clock A.M.

The Senate met pursuant to adjournment.

Prayer by Rev. J. F. Hamilton.

Saturday's Journal was read and approved.

On demand of Mr. Krimmel, a call of the Senate was had.

Sixteen Senators answered to their names.

Messrs. Armstrong, Beer, Carson, Curtiss, Grove, Jackson of Clinton, Joy, Kelley, Parker, Sabine, Saltzgaber, Sherrick, Steedman, Stokes, Tyler and Williams were absent.

Mr. Fisher moved that the Sergeant-at-Arms be dispatched for absentees.

Which was agreed to.

Messrs. Beer, Jackson of Clinton, Stokes, Tyler and Williams appearing within the bar of the Senate, and answering to their names—

On motion of Mr. Forrest, further proceedings under the call were dispensed with.

The Journal was then corrected and approved.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The following bills have been introduced in the House of Representatives, and read the first time :

H. B. No. 951—Mr. Booth—To amend section thirteen, chapter two, division four of an act entitled an act to amend, revise and consolidate the statutes relating to municipal corporations, to be known as title twelve, part one of the act to revise and consolidate the general statutes of Ohio, passed May 14, 1878, (O. L., 75, p. 161).

H. B. No. 952—Mr. Williams—To regulate the fees and compensation of county Auditors, Probate Judges, Clerks of Courts, Sheriffs, Coroners, Treasurers and Recorders.

H. B. No. 953—Mr. Wolf—To authorize villages containing a certain number of inhabitants to erect a building for town-hall, market-house, Mayor's office, village prison, etc., to borrow money and issue bonds therefor.

H. B. No. 954—Mr. Covert—Supplemental to an act entitled an act to amend, revise and consolidate the statutes relating to municipal corporations, to be known as title twelve, part one of the act to revise and consolidate the general statutes of Ohio, passed May 14, 1878.

H. B. No. 955—Mr. Wolf—To authorize the Commissioners of Hocking county to appropriate money to construct and maintain a certain bridge.

H. B. No. 956—Mr. Marsh—To provide for cleaning the channel of Big Beaver river, to secure an outlet for waste-water from the Mercer County Reservoir, and advance the interest of the Public Works.

H. B. No. 957—Mr. Brown of Putnam To authorize the Commissioners of Putnam county to issue bonds to raise money to redeem certain outstanding bonds.

Attest :

L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bills, in which the concurrence of the Senate is requested:

H. B. No. 755—Mr. Greene—To provide for indexing the land records of Greene county.

H. B. No. 662—Mr. Dalzell—To amend section five, of chapter one of an act entitled an act to revise and consolidate the laws relating to procedure in the Probate Court, (O. L., Vol. 75, p. 839).

H. B. No. 935—Mr. Hitchcock—To authorize the purchase and sale of certain buildings and land in Hampden, Geauga county.

H. B. No. 761—Mr. Baker—To dissolve a joint sub-district and to attach territory to a separate school district.

H. B. No. 908—Mr. Carter—To authorize the Council of the incorporated village of Edgerton, in Williams county, to permanently transfer certain funds to pay indebtedness.

H. B. No. 875—Mr. Wales—Supplementary to an act entitled an act to authorize County Commissioners in certain cases to accept devises and legacies, and to erect and maintain an Orphan Asylum in connection with a Children's Home, passed February 11, 1869.

H. B. No. 951—Mr. Booth—To amend section thirteen, chapter two, division four of an act entitled an act to amend, revise and consolidate the statutes relating to municipal corporations, to be known as title twelve, part one of the act to revise and consolidate the general statutes of Ohio, passed May 14, 1878, (75, O. L., 161).

Attest:

L. A. BRUNNER, *Clerk.*

Said bills were read the first time.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has concurred in the passage of the following bills:

S. B. No. 260—Mr. Jackson of Clinton—To authorize the creation of an additional school sub-district in Beaver Creek township, Greene county, Ohio.

S. B. No. 324—Jackson of Perry—To authorize the Trustees of Pike township, Perry county, Ohio, to transfer certain funds therein named.

Attest:

L. A. BRUNNER, *Clerk.*

Mr. Dungan submitted the following report:

The joint committee on Enrollment has examined, and found correctly enrolled, the following bills:

H. B. No. 864—To consolidate the territory comprising the township of New London, Huron county, Ohio, into a special school district.

Substitute for H. B. No. 537—To authorize the town Council of the incorporated village of New Lexington, Highland county, to transfer certain funds from the village prison fund to the street fund.

H. B. No. 796—To authorize the Board of Education of Waterford township, Washington county, Ohio, to compromise with the defaulting Treasurer of said township.

H. B. No. 870—To authorize the Board of Education of Paint township, in Holmes county, to transfer certain funds from the contingent fund to the tuition fund.

H. B. No. 688—To amend the act of April 11, 1878, entitled an act regarding the maintenance and repair of streets, alleys, etc., in cities of the first class having a population of more than one hundred and fifty thousand inhabitants at the last federal census, (73 O. L., p. 212.)

H. B. No. 786—To extend the time for payment of school lands in section number sixteen, in Green township, Hamilton county, Ohio.

H. B. No. 827—For the relief of Landon Heskitt.

H. B. No. 831—To authorize the Council of the village of Wadsworth to transfer funds.

H. B. No. 773—To authorize the village Council of the incorporated village of Clarksville, Clinton county, Ohio, to levy a tax and issue bonds to raise money to build a Mayor's office and corporation prison.

H. B. No. 839—Supplementary to an act to authorize Township Trustees of any township in the State to levy a tax for purchasing a hearse and erecting a vault, passed March 14, 1878.

S. B. No. 257—Prescribing the rate of State taxes, and to repeal an act therein named, (O. L., Vol. 73, p. 114.)

S. B. No. 249—Supplementary to an act entitled an act to amend an act to provide for the sale of the property of corporations, and to repeal sections one and two of an act to amend the act entitled an act for the regulation of turnpike companies, passed February 8, 1826.

S. B. No. 231—An act supplementary to an act to amend an act to amend an act to authorize the making of real estate indexes, and to further prescribe the duties of county commissioners and recorders in certain counties, passed March 20, 1862; passed April 17, 1867, (S., p. 1422.)

H. B. No. 728—To amend sections two and three of an act to authorize boards of education in certain cities to appoint library committees, and levy a tax for school purposes, passed April 8, 1878, (Vol. 75, p. 101.)

H. B. No. 804—To authorize the village of Delta, in Fulton county, Ohio, to transfer certain funds.

IRVINE DUNGAN,	R. G. RICHARDS,
F. M. CARTER,	WM. JESSUP,
C. F. KRIMMEL,	A. D. MARSH,
J. W. WASHBURN,	E. S. PERKINS.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The Speaker of the House of Representatives has, in the presence of the House, signed the following bills :

H. B. No. 827—Mr. Luccock—For the relief of Landon Heskitt.

H. B. No. 786—Mr. Loder—To extend the time for payment of school lands in section number sixteen, in Green township, Hamilton county, Ohio.

H. B. No. 831—Mr. Perkins—To authorize the Council of the village of Wadsworth to transfer funds.

S. B. No. 257—Mr. Sherrick—Prescribing the rate of State taxes, and to repeal an act therein named, (O. L., Vol. 73, p. 114).

Attest :

L. A. BRUNNER, *Clerk.*

The President *pro tem.*, in presence of the Senate, signed said bills.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has concurred in the passage of the following bill:

S. B. No. 249—Mr. Dungan—To provide for the sale of the property of certain corporations on executions—with the following amendments, in which the concurrence of the Senate is requested:

1. Amend the title so as to read as follows:

A bill supplementary to an act entitled an act to amend an act to provide for the sale of the property of corporations, and to repeal sections one and two of an act to amend the act entitled an act for the regulation of turnpike companies, passed February 8, 1826.

2. Strike out in line 10, section 1, the word "but;" and in line 12, same section, after the word "execution," insert the following: "if the judgment creditor so direct;" and in line 16, same section, after the word "using," insert the word "any;" and at the end of section, strike out the word "do," and insert the word "have."

3. In section 2, line 2, strike out the words "or gates;" and in line 4, after the word "of," insert the word "any," and strike out the words "or gates," in same line; and in line 7, after the word "through," insert the word "any;" and in same line and section, after the word "gate," strike out the words "or gates."

7. In section 2, line 13, after the word "at," insert "any;" and in same line, after the word "gate," strike out the words "or gates."

8. Strike out all of section 3.

9. Renumber section 4, and make it section 3.

Attest:

L. A. BRUNNER, *Clerk.*

The question being on concurring in said House amendments, the yeas and nays were taken, and resulted—yeas 20, nays 1, as follow:

Those who voted in the affirmative were—

Messrs. Beebe, Benson, Carlisle, Dungan, Fisher, Forrest, Howland, Jackson of Clinton, Jackson of Perry, Krimmel, Lord, McDonald, Owens, Richards, Saltzgaber, Seitz, Stokes, Tyler, Wagener and Williams— 20.

Mr. Beer voted in the negative.

So the Senate concurred in said House amendments.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has concurred in the passage of the following bill:

S. B. No. 292—Mr. Owens—To authorize and empower the City Council of the city of Newark, in Licking county, to transfer certain money from the sewer fund to the general fund in said city.

Attest:

L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The Speaker of the House of Representatives has, in the presence of the House, signed the following bills:

H. B. No. 688—Mr. Sullivan of Hamilton—To amend the act of April 11, 1878, entitled an act regarding the maintenance and repair of streets, alleys, etc., in cities of the first class having a population of more than one hundred and fifty thousand inhabitants at the last federal census, (73, O. L., p. 212.)

H. B. No. 796—Mr. Bohl—To authorize the Board of Education of Waterford township, Washington county, Ohio, to compromise with the defaulting Treasurer of said township.

H. B. No. 870—Mr. Estill—To authorize the Board of Education of Paint township, in Holmes county, to transfer certain funds from the contingent fund to the tuition fund.

H. B. No. 839—Mr. Hitchcock—Supplementary to an act to authorize township Trustees of any township in this State to levy a tax for purchasing a hearse and erecting a vault, passed March 14, 1878, (Vol. 75, page 46).

H. B. No. 773—Mr. Quinby—To authorize the village Council of the incorporated village of Clarksville, Clinton county, Ohio, to levy a tax and issue bonds to raise money to build a Mayor's office and corporation prison.

Attest :

L. A. BRUNNER, *Clerk.*

The President *pro tem.*, in presence of the Senate, signed said bills.

Mr. Forrest presented the remonstrance of J. W. Heisely and 66 other citizens of Cuyahoga county, against the passage of H. B. No. 574.

Which was laid on the table.

Mr. Forrest moved to take from the table H. B. No. 119.

Which was agreed to.

On motion of Mr. Forrest, said bill and pending amendments was referred to the committee of the Whole.

On motion of Mr. Forrest, the Senate went into committee of the Whole, for the consideration of said H. B. No. 119 and pending amendments, and after some time spent therein, arose and reported the bill back, with the recommendation that the 11th amendment reported by the committee on the Judiciary be stricken out.

Which was agreed to.

The question then being on agreeing to the report of the Judiciary committee—

Mr. Howland demanded a division of the question as to amendment No. 7.

The question being on agreeing to the report of the committee, except as to said amendment No. 7, the same was agreed to.

The question then being on agreeing to said amendment No. 7, the yeas and nays were demanded, taken, and resulted—yeas 11, nays 7, as follow :

Those who voted in the affirmative were—

Messrs. Benson, Carlisle, Dungan, Fisher, Irvine, Owens, Seitz, Stokes, Tyler, Wagener and Williams—11.

Those who voted in the negative were—

Messrs. Beer, Forrest, Howland, Jackson of Clinton, Jackson of Perry, Richards and Saltzgaber—7.

So said amendment No. 7 was agreed to.

Mr. Forrest moved that the further consideration of said bill be postponed until to-morrow morning, at 10½ o'clock, and made the special order for that hour.

Which was agreed to.

Mr. Owens, on leave, introduced the following bill, which was read the first time :

S. B. No. 334 — To authorize the Board of County Commissioners of certain counties to make contracts for the repair of Court-houses injured by fire, and to issue and sell bonds for the payment of the cost and expenses of such repairs, and to levy taxes to pay such bonds.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The Speaker of the House of Representatives has, in the presence of the House, signed the following bills :

H. B. No. 864—Mr. Williamson—To consolidate the territory comprising the township of New London, in Huron county, Ohio, into a special school district.

Substitute for H. B. No. 537—Mr. Dawson—To authorize the town Council of the incorporated village of New Lexington, Highland county, to transfer certain funds from the village prison fund to the street fund.

S. B. No. 249 Mr. Dungan—To provide for the sale of the property of certain corporations on execution.

S. B. No. 231—Mr. Saltzgaber—Supplementary to an act to amend an act to amend an act to authorize the making of real estate indexes, and further prescribe the duties of county commissioners and recorders in certain counties, passed March 20, 1862; passed April 17, 1867, (Saylor, page 1422).

Attest :

L. A. BRUNNER, *Clerk.*

The President *pro tem.*, in presence of the Senate, signed said bills.

On motion of Mr. Wagener, the Senate adjourned.

Attest :

ALLEN O. MYERS, *Clerk.*

TUESDAY, April 1, 1879—10 O'CLOCK A.M.

The Senate met pursuant to adjournment.

Prayer by Rev. J. F. Hamilton.

The Journal was read and approved.

Bills were read the second time and referred, as follows :

H. B. No. 755—Mr. Greene—To provide for indexing the lands records of Greene county.

Committee on Finance.

H. B. No. 935—Mr. Hitchcock —To authorize the purchase and sale of certain buildings and land in Hampden, Geauga county.

Committee on Finance.

H. B. No. 761—Mr. Baker—To dissolve a joint sub-district, and to attach territory to a separate school district.

Committee on Common Schools and School Lands.

H. B. No. 875—Mr. Wales—Supplementary to an act entitled an act to authorize County Commissioners in certain cases to accept devises and legacies, and to erect and maintain an Orphan Asylum in connection with a Children's Home, passed February 11, 1869.

Committee on Reform School and Industrial School for Girls.

H. B. No. 908—Mr. Carter—To authorize the Council of the incorporated village of Edgerton, in Williams county, to permanently transfer certain funds to pay indebtedness.

Committee on Finance.

H. B. No. 662—Mr. Dalzell—To amend section five, of chapter one of an act entitled an act to revise and consolidate the laws relating to procedure in the Probate Court, (O. L., Vol. 75, p. 839.)

Committee on the Judiciary.

H. B. No. 951—Mr. Booth To amend section thirteen, chapter two, division four of an act entitled an act to amend, revise and consolidate the statutes relating to municipal corporations, to be known as title twelve, part one of the act to revise and consolidate the general statutes of Ohio, passed May 14, 1878, (O. L., Vol. 75, p. 161.)

Mr. Forrest moved that the constitutional rule, requiring bills to be read on three different days, be suspended, that H. B. No. 951 may be read the third time.

On which motion the yeas and nays were taken, and resulted—yeas 27, nays none, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Carson, Curtiss, Dungan, Fisher, Forrest, Howland, Jackson of Clinton, Jackson of Perry, Joy, Kelley, Krimmel, Lord, McDonald, Owens, Parker, Richards, Saltzgaber, Seitz, Stokes, Tyler, Wagener and Williams—27.

So the motion was agreed to, and the bill was read the third time.

The question being “Shall the bill pass?” the yeas and nays were taken, and resulted—yeas 26, nays none, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Carson, Curtiss, Dungan, Fisher, Forrest, Howland, Jackson of Clinton, Jackson of Perry, Joy, Kelley, Krimmel, Lord, McDonald, Owens, Parker, Richards, Seitz, Stokes, Tyler, Wagener and Williams—26.

So the bill passed. The title was agreed to.

The Senate then proceeded to the special order of the hour, viz.:

Amended H. B. No. 119—Mr. Swaim—To amend and revise the statutes relating to elections, to be known as title fourteen, part one of the act to revise and consolidate the general statutes.

Said bill was ordered to be engrossed and read the third time, and was then read.

The question being “Shall the bill pass?” the yeas and nays were taken, and resulted—yeas 20, nays 3, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Benson, Carlisle, Carson, Curtiss, Dungan, Fisher, Forrest, Irvine, Jackson of Perry, Joy, Krimmel, McDonald, Owens, Parker, Richards, Saltzgaber, Seitz, Tyler and Williams—20.

Those who voted in the negative were—

Messrs. Howland, Jackson of Clinton and Kelley—3.

So the bill passed. The title was agreed to.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bill, in which the concurrence of the Senate is requested:

H. B. No. 893—Mr. Alexander—Making appropriations for the support of the common schools.

Attest:

L. A. BRUNNER, *Clerk*.

Said bill was read the first time.

Mr. Dungan submitted the following report:

The standing committee on Judiciary, to whom was referred S. B. No. 313—To amend the act of May 11, 1878, entitled an act to revise and consolidate the laws relating to procedure before justices of the peace and mayors, (74 Vol., 971)—having had the same under consideration, report it back, and recommend its passage.

W. T. FORREST, G. M. SALTZGABER,
LYMAN J. JACKSON, IRVINE DUNGAN.
D. WAGENER,

Said bill was ordered to be engrossed and read the third time now, and was then read.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 22, nays 1, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Beer, Benson, Carlisle, Carson, Dungan, Forrest, Howland, Jackson of Perry, Joy, Krimmel, Lord, McDonald, Owens, Parker, Richards, Saltzgaber, Seitz, Stokes, Tyler, Wagener and Williams—22.

Mr. Fisher voted in the negative.

So the bill passed. The title was agreed to.

Mr. Seitz submitted the following report:

The standing committee on Public Buildingss, to whom was referred H. B. No. 639—Revising and consolidating the statutes relating to public buildings—having had the same under consideration, report it back, with the following amendment, and recommend its passage when so amended:

In section 8, strike out all after the word "estimates," in line 21.

C. S. PARKER, J. M. ARMSTRONG,
JOHN SEITZ, WM. H. STOKES.
LINDSEY KELLEY,

The question being on agreeing to said amendment—

On motion of Mr. Forrest, the Senate went into committee of the Whole, for the consideration of said H. B. No. 639 and pending amendment, and after some time spent therein, arose, and reported the bill back, with the recommendation that the report of the committee, amending said bill, be agreed to.

Which was agreed to.

Said bill was then ordered to be engrossed and read the third time now, and was then read.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 22, nays none, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Benson, Carlisle, Carson, Curtiss, Dungan, Fisher, Forrest, Howland, Irvine, Jackson of Clinton, Kelley, McDonald, Owens, Parker, Richards, Saltzgaber, Seitz, Stokes, Tyler, Wagener and Williams—22.

So the bill passed. The title was agreed to.

Mr. Dungan submitted the following report:

The joint committee on Enrollment has examined, and found correctly enrolled, the following bill:

S. B. No. 292—To authorize and empower the City Council of the city of Newark, in Licking county, Ohio, to transfer certain money from the sewer fund to the general fund in said city.

IRVINE DUNGAN,	F. M. CARTER,
R. G. RICHARDS,	C. R. HARMON,
C. F. KRIMMEL,	DUNCAN DOW.
J. W. WASHBURN,	

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The Speaker of the House of Representatives has, in the presence of the House, signed the following bill :

S. B. No. 292—Mr. Owens—To authorize and empower the City Council of the city of Newark, in Licking county, Ohio, to transfer certain money from the sewer fund to the general fund of said city.

Attest :

L. A. BRUNNER, *Clerk.*

The President, in presence of the Senate, signed said bill.

Mr. Curtiss submitted the following report :

The joint committee of Conference, to whom was referred S. B. No. 241, to adjust the differences between the two Houses, respectfully report as follows :

1. They recommend that the Senate concur in the House amendment to section 1.

2. That the second section be so amended as to read as follows :

SEC. 2. The partner of any prosecuting attorney shall not assist in the prosecution of any criminal case, unless assigned to such prosecution by the court before which the same is being or is to be tried.

And as thus modified, your committee recommend the passage of the bill.

W. T. FORREST,
GEO. P. TYLER,
H. W. CURTISS,

Committee on part of the Senate.

J. W. WASHBURN,
JAS. W. RIMER,
JNO. A. WILLIAMSON.

Committee on part of the House.

The question being on agreeing to said report of the Conference committee, the yeas and nays were taken, and resulted—yeas 23, nays 3, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beer, Benson, Carlisle, Curtiss, Dungan, Fisher, Forrest, Howland, Jackson of Clinton, Joy, Kelley, Krimmel, Lord, McDonald, Owens, Parker, Richards, Seitz, Stokes, Tyler, Wagener and Williams—23.

Messrs. Irvine, Jackson of Perry and Saltzgaber voted in the negative. So the report of the committee was agreed to.

S. B. No. 334—Mr. Owens—To authorize the Board of County Commis-

S. J.—24

sioners of certain counties to make contracts for the repair of Court-houses injured by fire, and to issue and sell bonds for the payment of the cost and expenses of such repairs, and to levy taxes to pay such bonds—was then read the second time, and, on motion, was referred to a select committee of one—Mr. Owens.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has concurred in the passage of the following bill:

S. B. No. 273—Mr. Owens—To provide for indexing the land records of Licking county.

Attest:

L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bill, in which the concurrence of the Senate is requested:

H. B. No. 777—Mr. Wales—To authorize the Council of the village of Franklin, in Warren county, Ohio, to borrow money and issue bonds for the purpose of repairing, building and furnishing the town-hall building in said village.

Attest:

L. A. BRUNNER, *Clerk.*

Said bill was read the first time.

On motion of Mr. Lord, the Senate took a recess.

THREE O'CLOCK P.M.

Mr. Curtiss moved to take from the table the report of the joint committee appointed in pursuance of S. J. R. No. 38.

Which was agreed to.

The question being on agreeing to said report of the joint committee, the same was agreed to.

Mr. Seitz moved to take from the table S. R. No. 88.

Which was agreed to.

Mr. Seitz moved to substitute the following for said resolution:

Resolved, That hereafter, to the close of this session, a call of the Senate shall be ordered each day immediately after the reading of the Journal; the Clerk noting the names of such Senators as are absent without leave.

Mr. Beer moved to amend said resolution by adding at the close of the resolution: "and the Senator having the least number of absent-marks at the close of the session. shall be presented with a chromo, to be paid for out of the revenue fund."

On which motion the yeas and nays were demanded, taken, and resulted—yeas 5, nays 13, as follow:

Those who voted in the affirmative were—

Messrs. Beer, Curtiss, Krimmel, Lord and Williams—5.

Those who voted in the negative were—

Messrs. Armstrong, Carlisle, Carson, Fisher, Forrest, Howland, Joy, McDonald, Richards, Seitz, Stokes, Tyler and Wagener—13.

So the motion to amend was disagreed to.

Mr. Curtiss moved to amend the substitute as follows: Add after the word "Journal," the following: "and immediately after assembling in the afternoon."

Which was agreed to.

The question then recurring on said substitute for S. R. No. 88, as amended, the yeas and nays were demanded, taken, and resulted—yeas 16, nays 8, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Benson, Carson, Curtiss, Dungan, Fisher, Forrest, Howland, Jackson of Clinton, Jackson of Perry, Krimmel, Parker, Richards, Seitz, Stokes and Tyler—16.

Those who voted in the negative were—

Messrs. Beer, Carlisle, Joy, Kelley, Lord, McDonald, Steedman and Wagener—8.

So said substitute was adopted.

The question then being on the adoption of the resolution as amended, the yeas and nays were demanded, taken, and resulted—yeas 18, nays 6, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Benson, Carson, Curtiss, Dungan, Fisher, Forrest, Howland, Jackson of Clinton, Kelley, Owens, Parker, Richards, Seitz, Steedman, Stokes, Tyler and Williams—18.

Those who voted in the negative were—

Messrs. Beer, Carlisle, Krimmel, Lord, McDonald and Wagener—6.

So said resolution as amended was adopted.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The Speaker of the House of Representatives has, in the presence of the House, signed the following bills:

H. B. No. 951—Mr. Booth—To amend section thirteen, chapter two, division four of an act entitled an act to amend, revise and consolidate the statutes relating to municipal corporations, to be known as title twelve, part one of the act to revise and consolidate the general statutes of Ohio, passed May 14, 1878, (75, O. L., p. 161.)

H. B. No. 804—Mr. Fenton—To authorize the village of Delta, in Fulton county, Ohio, to transfer certain funds.

H. B. No. 728—Mr. Foster—To amend sections two and three of an act to authorize Boards of Education in certain cities to appoint library committees, and levy a tax for school purposes, passed April 8, 1878, (Vol. 75, p. 101.)

Attest:

L. A. BRUNNER, *Clerk,*

The President, in presence of the Senate, signed said bills.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bill, in which the concurrence of the Senate is requested:

H. B. No. 892—Mr. Alexander—Making appropriations to pay interest

on the public debt, and the expenses of the Sinking Fund Commissioners.

Attest:

L. A. BRUNNER, *Clerk*.

Said bill was read the first time.

Mr. Owens submitted the following report:

The select committee of one, to whom was referred S. B. No. 334—To authorize the Board of County Commissioners of certain counties to make contracts for the repair of Court-houses injured by fire, and to issue and sell bonds for the payment of the costs and expenses of such repairs, and to levy taxes to pay such bonds—having had the same under consideration, reports it back, with the following amendments and recommends its passage when so amended:

In line 7, section 1, strike out the word "first."

In line 6, section 3, strike out the words "the legal rate," and insert instead: "seven per cent. per annum."

JAMES W. OWENS.

Said amendments were agreed to, and the bill was ordered to be engrossed and read the third time to-morrow.

Mr. Fisher submitted the following report:

The committee on Revision has examined, and found correctly engrossed, Senate amendments to H. B. No. 119.

J. C. FISHER,
J. M. CARSON.

Mr. Fisher moved to take from the table H. B. No. 429.

Which was agreed to.

Mr Seitz then moved that the Senate recede from its third amendment to said bill.

On which motion the yeas and nays were taken, and resulted—yeas 7, nays 18, as follow:

Those who voted in the affirmative were—

Messrs. Carson, Dungan, Fisher, Forrest, Parker, Saltzgaber and Seitz—7.

Those who voted in the negative were—

Messrs. Armstrong, Benson, Curtiss, Howland, Irvine, Jackson of Clinton, Jackson of Perry, Joy, Kelley, Krimmel, Lord, McDonald, Owens, Richards, Steedman, Stokes, Wagener and Williams—18.

So the Senate refused to recede from its said third amendment.

Mr. Benson moved that the Senate insist on its amendments to said bill, and request the appointment of a Conference committee.

Which was agreed to.

Mr. Forrest submitted the following report:

The standing committee on Judiciary, to whom was referred S. B. No. 312—To protect the maker and indorser of a written obligation for the payment of money in certain cases—having had the same under consideration, report it back, and recommend its indefinite postponement.

W. T. FORREST, D. WAGENER,
W. P. HOWLAND, IRVINE DUNGAN.

Said report was agreed to.

On motion of Mr. Curtiss, the Senate adjourned.

Attest:

ALLEN O. MYERS, *Clerk*.

WEDNESDAY, April 2, 1879—10 o'clock A.M.

The Senate met pursuant to adjournment.

Prayer by Rev. J. F. Hamilton.

The Journal was read and approved.

The roll was called, and 28 Senators answered to their names.

Leave of absence was asked and obtained for Mr. Beebe until Tuesday next.

Messrs. Krimmel, Saltzgaber and Sherrick were absent without leave.

Messrs. Johnston, Marsh and Wilson were absent by leave.

Bills were read the second time and referred, as follows:

H. B. No. 893—Mr. Alexander - Making appropriations for the support of the common schools.

Committee on Finance.

H. B. No. 777—Mr. Wales—To authorize the Council of the village of Franklin, in Warren county, Ohio, to borrow money and issue bonds for the purpose of repairing, building, and furnishing the town-hall building in said village.

Committee on Municipal Corporations.

H. B. No. 892—Mr. Alexander—Making appropriations to pay interest on the public debt, and the expenses of the Sinking Fund Commissioners.

Committee on Finance.

S. B. No. 334—Mr. Owens—To authorize the Board of County Commissioners of certain counties to make contracts for the repair of Court-houses injured by fire, and to issue and sell bonds for the payment of the cost and expenses of such repairs, and to levy taxes to pay such bonds—was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 28, nays none, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Beer, Benson, Carlisle, Carson, Curtiss, Dungan, Fisher, Forrest, Grove, Howland, Irvine, Jackson of Clinton, Jackson of Perry, Joy, Kelley, Krimmel, McDonald, Owens, Parker, Richards, Sabine, Saltzgaber, Seitz, Steedman, Tyler, Wagener and Williams—28.

So the bill passed. The title was agreed to.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives accedes to the request of the Senate, and has appointed Messrs. Hayman, Marsh and Booth a committee of Conference, to consider the differences existing between the two Houses on—

H. B. No. 429—Mr. Booth - Regulating the fees of county officers.

Attest:

L. A. BRUNNER, *Clerk.*

The President appointed Messrs. Steedman, Fisher and Curtiss as such committee on part of the Senate.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has non-concurred in Senate amendments to —

H. B. No. 726—Mr. Oglevee—Revising the statutes relating to definitions and general provisions.

Attest:

L. A. BRUNNER, *Clerk*.

Mr. Howland moved that the Senate insist on its amendments to said bill, and request the appointment of a committee of Conference.

Which was agreed to, and the President appointed Messrs. Howland, Saltzgaber and Jackson of Perry as such committee on part of the Senate.

S. J. R. No. 19—Mr. Curtiss—To provide for holding the general election in November, and for biennial elections—was then taken up.

On motion of Mr. Curtiss, said joint resolution was laid on the table.

Mr. Joy submitted the following report:

The standing committee on Penitentiary, to whom was referred H. J. R. No. 103—Authorizing the Board of Directors to restore Wm. F. Woolery and Andrew Dreiss on the pay-rolls, for the time lost by reason of disability received while on duty as guards—having had the same under consideration, report it back, and recommend its adoption.

D. JOY,	H. SABINE,
WM. H. STOKES,	GEO. P. TYLER,
H. W. CURTISS,	C. F. KRIMMEL.

The question being on the adoption of said joint resolution, the yeas and nays were taken, and resulted—yeas 27, nays none, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Beer, Benson, Carlisle, Carson, Curtiss, Fisher, Forrest, Grove, Howland, Jackson of Clinton, Jackson of Perry, Joy, Kelley, Krimmel, Lord, McDonald, Owens, Parker, Richards, Sabine, Saltzgaber, Steedman, Stokes, Tyler, Wagener and Williams - 27.

So said joint resolution was adopted.

Mr. Kelley submitted the following report:

The standing committee on Public Printing, to whom was referred H. B. No. 685 To authorize the use of a portion of the school fund of sub-district No. 5, of Walnut township, Gallia county, Ohio, for the purpose of having a German school taught in said sub-district—having had the same under consideration, report it back, and recommend its indefinite postponement.

J. C. FISHER,	JOHN H. BENSON,
J. M. ARMSTRONG,	J. M. CARSON.

Said report was agreed to.

Mr. Lord submitted the following report:

The standing committee on Public Works and Public Lands, to whom was referred S. B. No. 322—Entitled a bill to amend section four of an act defining the powers and prescribing the duties of the Board of Public Works, (Vol. 75, 584, Laws of 1878)—having had the same under consideration, report it back, with the following amendment, and recommend its passage when so amended:

In line 27, section 1, strike out the word "February", and insert the word "June".

H. C. LORD,	J. B. STEEDMAN,
G. A. GROVE,	L. J. JACKSON.
G. M. SALTZGABER,	

Said amendment was agreed to, and the bill was ordered to be engrossed and read the third time now, and was then read.

Mr. Richards moved to refer the bill to a select committee of one, with instructions to amend as follows:

Add at the end of section 2: "And the Board of Public Works is hereby discontinued until its political complexion is changed, and all its duties shall devolve upon the Chief Engineer."

Pending which motion, on demand of Mr. Saltzgaber, a call of the Senate was had.

Twenty-nine Senators answered to their names.

Messrs. Dungan and Sherrick were absent without leave.

On motion of Mr. Joy, further proceedings under the call were dispensed with.

The question recurring on Mr. Richards' motion to refer with instructions, the yeas and nays were demanded, taken, and resulted—yeas 1, nays 24, as follow:

Mr. Richards voted in the affirmative.

Those who voted in the negative were—

Messrs. Armstrong, Beer, Benson, Carlisle, Carson, Curtiss, Forrest, Grove, Irvine, Jackson of Clinton, Jackson of Perry, Joy, Krimmel, Lord, McDonald, Owens, Parker, Sabine, Seitz, Steedman, Stokes, Tyler, Wagener and Williams—24.

So the motion was disagreed to.

Mr. Seitz moved to refer the bill to a select committee of one, with instructions to amend as follows:

In lines 29 and 30, strike out the words "and nine hundred dollars per annum thereafter."

On which motion the yeas and nays were demanded, taken, and resulted—yeas 10, nays 15, as follows:

Those who voted in the affirmative were—

Messrs. Beer, Curtiss, Fisher, Howland, Jackson of Clinton, Kelley, Parker, Richards, Sabine and Seitz—10.

Those who voted in the negative were—

Messrs. Armstrong, Carlisle, Forrest, Grove, Irvine, Joy, Krimmel, Lord, McDonald, Owens, Saltzgaber, Steedman, Tyler, Wagener and Williams—15.

So the motion was disagreed to.

Mr. Howland moved to refer the bill to a select committee of one, with instructions to amend as follows:

After the word "act", in line 21, of section one, insert the following: "by and with the advice and consent of the board of public works."

On which motion the yeas and nays were taken, and resulted—yeas 7, nays 21, as follow:

Those who voted in the affirmative were—

Messrs. Beer, Curtiss, Howland, Jackson of Clinton, Kelley, Richards and Sabine—7.

Those who voted in the negative were—

Messrs. Armstrong, Benson, Carlisle, Carson, Dungan, Fisher, Forrest, Grove, Irvine, Jackson of Perry, Joy, Krimmel, Lord, McDonald, Owens, Parker, Steedman, Stokes, Tyler, Wagener and Williams—21.

So the motion was disagreed to.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 22, nays 6, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Benson, Carlisle, Carson, Dungan, Fisher, Forrest, Grove, Irvine, Jackson of Perry, Joy, Krimmel, Lord, McDonald, Owens, Parker, Saltzgaber, Steedman, Stokes, Tyler, Wagener and Williams—22.

Those who voted in the negative were—
Messrs. Curtiss, Howland, Jackson of Clinton, Kelley, Richards and Sabine—6.

So the bill passed. The title was agreed to.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has appointed Mr. Townsend in place of Mr. Hayman on the Conference committee to consider the differences existing between the two Houses on—

H. B. No. 429 – Mr. Booth—To regulate the fees of county officers.

Attest:

L. A. BRUNNER, *Clerk.*

Mr. Benson moved that the vote whereby S. R. No. 88 was adopted be reconsidered.

Mr. Forrest moved that said motion be laid on the table.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 6, nays 20, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Curtiss, Fisher, Forrest, Parker and Seitz—6.

Those who voted in the negative were—

Messrs. Benson, Carlisle, Carson, Grove, Irvine, Jackson of Clinton, Jackson of Perry, Joy, Kelley, Krimmel, Lord, McDonald, Owens, Richards, Sabine, Saltzgaber, Steedman, Stokes, Wagener and Williams—20.

So the motion was disagreed to.

The question recurring on Mr. Benson's motion to reconsider, the yeas and nays were demanded, taken, and resulted—yeas 17, nays 8, as follow:

Those who voted in the affirmative were—

Messrs. Beer, Benson, Carlisle, Grove, Irvine, Jackson of Clinton, Jackson of Perry, Joy, Kelley, Krimmel, Lord, McDonald, Owens, Saltzgaber, Steedman, Wagener and Williams—17.

Those who voted in the negative were—

Messrs. Armstrong, Carson, Curtiss, Fisher, Forrest, Parker, Seitz and Stokes—8.

So the motion was agreed to.

The question being on the adoption of said resolution, the yeas and nays were demanded, taken, and resulted—yeas 8, nays 15, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Carson, Curtiss, Fisher, Forrest, Parker, Seitz and Stokes—8.

Those who voted in the negative were—

Messrs. Beer, Benson, Carlisle, Grove, Irvine, Jackson of Perry, Joy, Kelley, Krimmel, Lord, McDonald, Owens, Saltzgaber, Steedman and Wagener—15.

So the resolution was disagreed to.

On motion of Mr. Tyler, the Senate took a recess.

THREE O'CLOCK P.M.

On demand of Mr. Curtiss, a call of the Senate was had.

Twenty-six Senators answered to their names.

Messrs. Dungan, Joy, Kelley and Sherrick were absent without leave.

On motion of Mr. Beer, further proceedings under the call were dispensed with.

Mr. Lord asked and obtained leave of absence for ten minutes.

Mr. Carson submitted the following report :

The standing committee on Common Schools and School Lands, to whom was referred H. B. No. 71.—To amend an act supplementary to an act entitled an act for the reorganization and maintenance of common schools, passed May 1, 1873, and revised May, 1875—having had the same under consideration, report it back, and recommend its passage.

J. M. CARSON, H. C. LORD,
THOS. M. BEER, C. F. KRIMMEL.
G. A. GROVE,

Said bill was ordered to be engrossed and read the third time on Wednesday next.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The House of Representatives accedes to the request of the Senate, and has appointed Messrs. Oglevee, Washburn and Sullivan of Hamilton on the part of the House, to consider the differences existing between the two Houses on—

H. B. No. 726—Mr. Oglevee—Revising the statutes relating to definitions and general provisions.

Attest :

L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The House of Representatives has passed the following bill, in which the concurrence of the Senate is requested :

H. B. No. 602—Mr. Hume—Relating to public ways.

Attest :

L. A. BRUNNER, *Clerk.*

Said bill was read the first time.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The Speaker of the House of Representatives has, in the presence of the House, signed the following joint resolution :

Substitute for H. J. R. No. 103—Mr. Rimer—For the relief of Wm. T. Woolery and Andrew Driess.

Attest :

L. A. BRUNNER, *Clerk.*

The President, in presence of the Senate, signed said joint resolution.

Mr. Krimmel submitted the following report :

The standing committee on Privileges and Elections, to whom was referred House Substitute for H. J. R.'s Nos. 68, 73 and 84, from the Judiciary Committee of the House of Representatives—As to amending

the Constitution of the State of Ohio—having had the same under consideration, report it back, and recommend its adoption.

W. T. FORREST, H. C. LORD,
G. M. SALTZGABER, C. F. KRIMMEL.
LYMAN J. JACKSON,

The question being on the adoption of said joint resolution—

Mr. Howland moved to amend as follows: Alter the word “ten,” in line 6, insert the following: “and section one of Article XI.”

ARTICLE XI.

SECTION 1. The apportionment of the State for members of the General Assembly shall be made every ten years after the year one thousand eight hundred and fifty one, in the following manner: The whole population of the State, as ascertained by the federal census, or in such other mode as the General Assembly may direct, shall be divided by the number one hundred, and the quotient shall be the ratio of representation in the House of Representatives for ten years next succeeding such apportionment, but each county in the State shall be entitled to one member.

Which was agreed to.

Mr. Owens offered the following as a substitute for section 4, article 10, as follows:

SEC. 4. Township officers shall be elected on the first Monday of April, by the qualified electors of their respective townships, in such manner and for such terms, not exceeding three years, as may be provided by law.

Which was agreed to.

Mr. Seitz moved to reconsider the vote whereby Mr. Howland's motion to amend said joint resolution was agreed to.

Which was agreed to.

On motion of Mr. Saltzgaber, said joint resolution was referred to the committee on the Judiciary.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has concurred in the passage of the following bill:

S. B. No. 334—Mr. Owens—To authorize the Board of County Commissioners of certain counties to make contracts for the repair of Court-houses injured by fire, and to issue and sell bonds for the payment of the cost and expenses of such repairs, and to levy a tax to pay such bonds.

Attest:

L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has concurred in the adoption of the following joint resolution:

S. J. R. No. 55—Mr. Dungan—Proposing an amendment to Article X. of the Constitution—with the following amendments, in which the concurrence of the Senate is requested:

1. In line 17, strike out "county," and insert "counties"; and after "Hamilton," insert: "and Cuyahoga."

2. In line 20, after the word "penitentiary," insert the following: "but the compensation of no officer shall be increased or diminished during the term of his office."

3. In section 8, line 15, strike out the word "two," and insert "four."

Attest:

L. A. BRUNNER, *Clerk*.

Mr. Dungan moved that the first House amendment to said joint resolution be concurred in.

On which motion the yeas and nays were taken, and resulted—yeas 24, nays 2, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Beer, Benson, Carlisle, Curtiss, Dungan, Fisher, Forrest, Howland, Irvine, Jackson of Clinton, Jackson of Perry, Joy, Kelley, Krimmel, Lord, McDonald, Richards, Sabine, Saltzgaber, Steedman, Stokes, Tyler and Williams—24.

Those who voted in the negative were—

Messrs. Carson and Seitz—2.

So the Senate concurred in said first amendment.

Mr. Dungan moved that the Senate concur in the second House amendment to said joint resolution.

On which motion the yeas and nays were taken, and resulted—yeas 25, nays 1, as follow:

Those who voted in the affirmative were—

Messrs. Beer, Benson, Carlisle, Curtiss, Dungan, Fisher, Howland, Irvine, Jackson of Clinton, Jackson of Perry, Joy, Kelley, Krimmel, Lord, McDonald, Owens, Parker, Richards, Sabine, Saltzgaber, Seitz, Steedman, Stokes, Tyler and Williams—25.

Mr. Carson voted in the negative.

So the Senate concurred in said second amendment.

The question being on concurring in the third House amendment to said joint resolution, the yeas and nays were taken, and resulted—yeas 3, nays 20, as follow:

Those who voted in the affirmative were—

Messrs. Grove, Kelley and Richards—3.

Those who voted in the negative were—

Messrs. Beer, Benson, Carlisle, Carson, Curtiss, Dungan, Fisher, Forrest, Irvine, Jackson of Clinton, Jackson of Perry, Joy, McDonald, Parker, Saltzgaber, Seitz, Steedman, Stokes, Tyler and Williams—20.

So the Senate refused to concur in said third amendment.

Mr. Carson submitted the following report:

The standing committee on Common Schools and School Lands, to whom was referred H. B. No. 761—To dissolve a joint sub-district and to attach territory to a separate school district—having had the same under consideration, report it back, and recommend its passage.

J. M. CARSON,	THOS. M. BEER,
G. A. GROVE,	H. C. LORD.
C. F. KRIMMEL,	

Said bill was ordered to be engrossed and read the third time on Wednesday next.

Mr. Krimmel submitted the following report:

The standing committee on Common Schools and School Lands, to whom was referred H. B. No. 706—Supplementary to an act entitled an

act for the reorganization and maintenance of common schools, passed May 1, 1873, (Sayler's Statutes, p. 3028), and to extend the time for lessees of section sixteen to comply with sections 143 and 144 of said act, who have complied with all provisions of said act, except said sections—having had the same under consideration, report it back, and recommend its passage.

C. F. KRIMMEL,	H. C. LORD,
G. A. GROVE,	R. G. RICHARDS,
J. M. CARSON,	THOS. M. BEER.

Said bill was ordered to be engrossed and read the third time on Wednesday next.

Mr. Steedman moved to take from the table S. B. No. 596.

Which was agreed to.

On motion of Mr. Owens, said bill was laid on the table.

Mr. Seitz submitted the following report:

The standing committee on Finance, to whom was referred H. B. No. 908—To authorize the Council of the incorporated village of Edgerton, in Williams county, to permanently transfer certain funds to pay indebtedness—having had the same under consideration, report it back, and recommend its passage.

JOHN SEITZ,	H. C. LORD,
H. W. CURTISS,	J. C. FISHER.
THOS. M. BEER,	

Said bill was ordered to be engrossed and read the third time now, and was then read.

The question being "Shall the bill pass?" the yeas and nays were taken and resulted—yeas 24, nays none, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Beer, Curtiss, Dungan, Fisher, Grove, Howland, Irvine, Jackson of Clinton, Jackson of Perry, Kelley, Krimmel, Lord, McDonald, Owens, Richards, Sabine, Saltzgaber, Seitz, Steedman, Stokes, Tyler, Wagener and Williams—24.

So the bill passed. The title was agreed to.

Mr. Dungan moved to take from the table H. B. No. 574.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 9, nays 13, as follow:

Those who voted in the affirmative were—

Messrs. Benson, Carson, Dungan, Fisher, Irvine, Joy, Parker, Saltzgaber and Seitz—9.

Those who voted in the negative were—

Messrs. Beer, Curtiss, Forrest, Howland, Jackson of Clinton, Jackson of Perry, Kelley, Krimmel, Lord, Owens, Richards, Sabine and Steedman—13.

So the motion was disagreed to.

Mr. Grove moved that H. J. R. No. 80 be taken from the table.

Which was agreed to.

The question being on the adoption of said joint resolution, the yeas and nays were ordered, taken, and resulted—yeas 22, nays 3, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Benson, Curtiss, Dungan, Forrest, Grove, Irvine, Jackson of Clinton, Jackson of Perry, Joy, Krimmel, Lord, McDonald, Owens, Parker, Sabine, Saltzgaber, Seitz, Steedman, Stokes, Tyler and Wagener—22.

Those who voted in the negative were—

Messrs. Beer, Fisher and Howland 3.

So said joint resolution was adopted.

Mr. Saltzgaber moved that the vote whereby H. B. No. 761 was ordered to be read the third time on Wednesday next be reconsidered.

Which was agreed to.

Said bill was ordered to be read the third time now, and was then read.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 19, nays none, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beer, Benson, Curtiss, Dungan, Fisher, Forrest, Grove, Irvine, Jackson of Clinton, Jackson of Perry, Kelley, McDonald, Owens, Richards, Sabine, Saltzgaber, Tyler and Wagener—19.

So the bill passed. The title was agreed to.

On motion of Mr. Beer, the Senate adjourned.

Attest :

ALLEN O. MYERS, *Clerk.*

THURSDAY, April 3, 1879—10 o'clock A.M.

The Senate met pursuant to adjournment.

Prayer by Rev. E. K. Squiers.

The Journal was read and approved.

On demand of Mr. Forrest, a call of the Senate was had.

Twenty-five Senators answered to their names.

Messrs. Irvine, Krimmel, Sabine, Sherrick and Steedman were absent.

Mr. Benson moved that further proceedings under the call be dispensed with.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 15, nays 7, as follow :

Those who voted in the affirmative were—

Messrs. Benson, Carlisle, Curtiss, Dungan, Fisher, Grove, Howland, Kelley, Parker, Richards, Seitz, Stokes, Tyler, Wagener and Williams—15.

Those who voted in the negative were—

Messrs. Armstrong, Beer, Joy, Lord, Owens, Saltzgaber and Steedman—7.

So the motion was agreed to.

H. B. No. 602—Mr. Hume—Relating to public ways—was read the second time, and on motion referred to the committee of the Whole, and made the special order of the hour for Wednesday next, at 11 o'clock A. M.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The Speaker of the House of Representatives has, in the presence of the House, signed the following bill :

H. B. No. 951—Mr. Booth—To amend section thirteen, chapter two, division four of an act entitled an act to amend, revise and consolidate the statutes relating to municipal corporations, to be known as title

twelve, part one of the act to revise and consolidate the general statutes of Ohio, passed May 14, 1878, (Vol. 75, p. 161.)

Attest :

L. A. BRUNNER, *Clerk.*

The President, in presence of the Senate, signed said bill.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bill, in which the concurrence of the Senate is requested :

H. B. No. 782—Mr. Williams—Revising and consolidating the statutes relating to the compensation of public officers.

Attest :

L. A. BRUNNER, *Clerk.*

Said bill was read the first time.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has concurred in the passage of the following bill :

S. B. No. 201—Mr. Armstrong—Creating the office of criminal bailiff, and to prescribe his duties, in counties of the first class having a population of one hundred and eighty thousand and upwards—with the following amendments, in which the concurrence of the Senate is requested :

In section 2, line 1, strike out the words "and instead of."

In same section, line 2, insert before the word "matters", the words "criminal cases, and."

In same section, lines 2 and 3, strike out the words "said probate court, and in all criminal cases which may be tried in the courts of common pleas of such counties," and insert in lieu thereof: "the common pleas and probate courts of said county."

In same section, line 4, after the word "courts," insert: "under the direction of the sheriff."

In same section, line 6, strike out "and instead of."

In same section, strike out everything in line 10 up to the word "it", in line 20.

In same section, line 21, after the word "bailiff," insert: "under the direction of the sheriff."

In same section, line 26, strike out "into the treasury," and insert in lieu thereof: "to the sheriff."

In section 3, line 1, strike out "criminal bailiff," and insert sheriff."

In section 4, line 2, strike out "commissioners," and insert "sheriff."

The question being on concurring in said House amendments, the yeas and nays were taken, and resulted—yeas 19, nays 9, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Carlisle, Carson, Dungan, Fisher, Forrest, Grove, Irvine, Jackson of Perry, Joy, Krimmel, Lord, McDonald, Owens, Parker, Seitz, Stokes, Wagener and Williams— 19.

Those who voted in the negative were—

Messrs. Beer, Curtiss, Howland, Jackson of Clinton, Kelley, Richards, Saltzgaber, Steedman and Tyler—9.

So the Senate concurred in said amendments.

Mr. Dungan submitted the following report :

The joint committee on Enrollment has examined, and found correctly enrolled, the following bills and joint resolution :

H. J. R. No. 103—For the relief of Wm. T. Woolery and Andrew Dreiss.

S. B. No. 334—To authorize the Board of County Commissioners of certain counties to make contracts for the repair of Court-houses injured by fire, and to issue and sell bonds for the payment of the cost and expenses of such repairs, and to levy taxes to pay such bonds.

H. B. No. 951—To amend section thirteen, chapter two, division four of an act entitled an act to amend, revise and consolidate the statutes relating to municipal corporations, to be known as title twelve, part one of the act to revise and consolidate the general statutes of Ohio, passed May 14, 1878, (O. L., 161).

IRVINE DUNGAN,	A. D. MARSH,
R. G. RICHARDS,	E. S. PERKINS,
C. F. KRIMMEL,	C. R. HARMON,
F. M. CARTER,	WM. JESSUP.

The following bill was introduced, and read the first time :

S. B. No. 335—Mr. Dungan—To amend an act entitled an act to amend an act entitled an act for the relief of the poor, and to repeal certain acts therein named, passed April 12, 1876, (O. L., Vol. 75, p. 14), and to repeal certain acts therein named.

Mr. Joy moved that the Senate take a recess.

Mr. Fisher moved that the Senate adjourn until to-morrow morning at 8 o'clock.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 11, nays 14, as follow :

Those who voted in the affirmative were—

Messrs. Beer, Curtiss, Dungan, Fisher, Howland, Irvine, Jackson of Clinton, Kelley, Saltzgaber, Steedman and Stokes—11.

Those who voted in the negative were—

Messrs. Armstrong, Carson, Forrest, Grove, Joy, Krimmel, Lord, McDonald, Owens, Richards, Seitz, Tyler, Wagener and Williams—14.

So the motion was disagreed to.

The question recurring on Mr. Joy's motion to take a recess, the yeas and nays were demanded, taken, and resulted—yeas 16, nays 9, as follow :

Those who voted in the affirmative were—

Messrs. Carson, Dungan, Fisher, Forrest, Grove, Irvine, Joy, Krimmel, Lord, McDonald, Owens, Richards, Seitz, Tyler, Wagener and Williams—16.

Those who voted in the negative were—

Messrs. Armstrong, Beer, Curtiss, Howland, Kelley, Parker, Saltzgaber, Steedman and Stokes—9.

So the motion was agreed to, and the Senate took a recess.

THREE O'CLOCK P.M.

Mr. Tyler moved that the committee on Railroads, Turnpikes and Telegraphs be discharged from the consideration of H. B. No. 812.

Which was agreed to.

On motion of Mr. Carson, said bill was referred to the committee on Drains, Ditches and Water-courses.

Mr. Sabine submitted the following report:

The standing committee on Railroads, Turnpikes and Telegraphs, to whom was referred S. B. No. 302—To prevent unjust discrimination between shippers on railroads, and punish violations thereof—having had the same under consideration, report it back without recommendation.

H. C. LORD, GEO. P. TYLER,
J. M. CARSON, H. SABINE.

Said bill was ordered to be engrossed and read the third time on Wednesday next.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives insists on its amendment No. 3 to — S. J. R. No. 55—Mr. Dungan—Proposing an amendment to Article X of the Constitution—and requests the appointment of a committee of Conference.

Attest:

L. A. BRUNNER, *Clerk.*

On motion of Mr. Dungan, the request of the House was acceded to, and the President appointed Messrs. Saltzgaber, Fisher and Richards as such committee on part of the Senate.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The Speaker of the House of Representatives has, in the presence of the House, signed the following bill:

S. B. No. 334—Mr. Owens To authorize the Board of County Commissioners of certain counties to make contracts for the repair of Court-houses injured by fire, and to issue and sell bonds for the payment of the costs and expenses of such repair, and to levy a tax to pay such bonds.

Attest:

L. A. BRUNNER, *Clerk.*

The President *pro tem.*, in presence of the Senate, signed said bill.

Leave of absence was asked and obtained for Mr. Tyler for to-morrow, for Mr. Kelley until Wednesday next at 3:30 P.M., for Mr. Joy until Tuesday next at 3:30 P.M., and for Mr. Lord temporarily.

Mr. Stokes submitted the following report:

The standing committee on Agriculture, to whom was referred H. B. No. 898—To authorize the Agricultural Society of Franklin county to borrow money—having had the same under consideration, report it back, and recommend its passage.

W. H. STOKES, JOHN H. BENSON,
B. W. CARLISLE, J. B. WILLIAMS,
J. M. CARSON, THOS. S. JACKSON.

Said bill was ordered to be engrossed and read the third time on Wednesday next.

Mr. Jackson of Clinton, on leave, introduced the following bill, which was read the first time:

S. B. No. 336—To amend section thirteen of an act entitled an act re-

lating to roads and highways, passed March 9, 1868, as amended March 4, 1878.

Mr. Seitz moved to reconsider the vote whereby No. H. B. 898 was ordered to be engrossed and read the third time on Wednesday next.

Which was agreed to.

The bill was then ordered to be engrossed and read the third time now, and was then read.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 21, nays none, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Carlisle, Dungan, Grove, Howland, Irvine, Jackson of Clinton, Jackson of Perry, Johnston, Joy, Kelley, Krimmel, Lord, McDonald, Owens, Richards, Sabine, Seitz, Stokes, Tyler and Williams—21.

So the bill passed. The title was agreed to.

On motion of Mr. Forrest, the Senate adjourned until 8 o'clock tomorrow morning.

Attest:

ALLEN O. MYERS, *Clerk.*

FRIDAY, April 4, 1879—8 o'clock A.M.

The Senate met pursuant to adjournment.

The Journal was read and approved.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has appointed Messrs. Washburn, Reed of Ross and Oglevee a committee of Conference on the part of the House, to consider the differences existing between the two Houses on—

S. J. R. No. 55 Mr. Dungan—Proposing an amendment to Article X. of the Constitution.

Attest:

L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bill, in which the concurrence of the Senate is requested:

H. B. No. 851 — Mr. Lovelace—To authorize the Trustees of fractional township four, fractional range one, Hamilton county, Ohio, to sell school lands in Preble county, Ohio.

Attest:

L. A. BRUNNER, *Clerk.*

Said bill was read the first time.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The Speaker of the House of Representatives has, in the presence of the House, signed the following bills and joint resolution:

H. B. No. 761—Mr. Baker—To dissolve a joint sub-district, and to attach territory to a separate school district.

H. B. No. 908 Mr. Carter—To authorize the Council of the incorporated village of Edgerton, in Williams county, to permanently transfer certain funds to pay indebtedness.

H. J. R. No. 80 – Mr. Sawyer—As to a survey of land for ditch between Mercer County Reservoir and Cranberry Prairie.

Attest:

L. A. BRUNNER, *Clerk*.

The President *pro tem.*, in presence of the Senate, signed said bills and joint resolution.

On demand of Mr. Steedman, a call of the Senate was had.

Messrs. Beer, Carlisle, Carson, Curtiss, Fisher, Forrest, Irvine, Jackson of Perry, Joy, McDonald, Parker, Sabine, Saltzgaber, Sherrick, Wagener and Williams were absent.

Mr. Steedman moved that the Sergeant-at-Arms be dispatched for absentees.

Which was disagreed to.

Mr. Grove moved that the Senate adjourn.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 10, nays 4, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Benson, Grove, Howland, Jackson of Clinton, Johnston, Owens, Richards, Seitz and Stokes—10.

Those who voted in the negative were—

Messrs. Dungan, Krimmel, Lord and Steedman—4.

So the motion was agreed to, and the President *pro tem.*, in pursuance of S. R. No. 70, declared that the Senate would stand adjourned until Tuesday next at 3 o'clock P.M.

Attest:

ALLEN O. MYERS, *Clerk*.

TUESDAY, April 8, 1879—3 o'clock P.M.

The Senate met pursuant to adjournment.

The Journal was read and approved.

The following bill was read the second time, and referred:

H. B. No. 851 Mr. Lovelace—To authorize the Trustees of fractional township four, fractional range one, Hamilton county, Ohio, to sell school lands in Preble county, Ohio.

Committee on Common Schools and School Lands.

On demand of Mr. Forrest, a call of the Senate was had.

Eleven Senators answered to their names.

Messrs. Carson, Curtiss, Dungan, Fisher, Grove, Howland, Irvine, Jackson of Clinton, Jackson of Perry, Johnston, Lord, McDonald, Parker, Sabine, Saltzgaber, Sherrick, Steedman, Tyler, Wagener and Williams were absent without leave.

Messrs. Joy and Kelley were absent with leave.

On motion of Mr. Forrest, the Sergeant-at-Arms was dispatched for absentees.

Mr. Benson moved that the Senate adjourn.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 6, nays 5, as follow :

Those who voted in the affirmative were—

Messrs. Beer, Benson, Krimmel, Owens, Richards and Wilson—6.

Those who voted in the negative were—

Messrs. Armstrong, Carlisle, Forrest Seitz and Stokes—5.

So the motion was agreed to, and the Senate adjourned.

Attest :

ALLEN O. MYERS, *Clerk.*

WEDNESDAY, April 9, 1879—10 o'clock A.M.

The Senate met pursuant to adjournment.

Prayer by Rev. W. A. Shisler.

The Journal was read and approved.

Mr. Curtiss presented the remonstrance of S. B. Ingersoll and 131 other citizens of Parma, Cuyahoga county, against the passage of Foster's Infirmary Bill, and ask, should the bill pass, that said township be excluded from the territory to be taxed for such purpose.

Which was referred to the committee on Finance.

Mr. Curtiss presented the petition of Johnson McFarland and 95 other citizens of Bedford, Cuyahoga county, asking for the passage of Foster's Infirmary Bill.

Which was referred to the committee on Finance.

Leave of absence was asked and obtained for Mr. Steedman for this week, on account of sickness.

Bills were read the second time and referred, as follows :

H. B. No. 782—Mr. Williams—Revising and consolidating the statutes relating to the compensation of public officers.

Committee on Salaries and Fees of Public Officers.

S. B. No. 335—Mr. Dungan—To amend an act entitled an act to amend an act entitled an act for the relief of the poor, and to repeal certain acts therein named, passed May 12, 1876, (75, O. L., 14), and to repeal certain acts therein named.

Select committee of three—Messrs. Dungan, Stokes and Beer.

S. B. No. 336—Mr. Jackson of Clinton To amend section thirteen of an act entitled an act relating to roads and highways, passed March 9, 1868, as amended March 4, 1878.

Committee on Roads and Highways.

H. B. No. 706—Mr. Townsend—Supplementary to an act entitled an act for the reorganization and maintenance of common schools, passed May 1, 1873, (Sayler's Statutes, p. 3028), and to extend the time for lessees of section sixteen to comply with sections one hundred and forty-three and one hundred and forty-four of said act, who have complied with all provisions of said act except said sections—was read the third time.

Mr. Seitz moved that the bill be laid on the table.

Which was agreed to.

H. B. No. 710—Mr. Eylar—To amend an act supplementary to an act entitled an act for the reorganization and maintenance of common schools, passed May 1, 1873, and revised May, 1875—was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 18, nays 2, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beer, Benson, Carlisle, Carson, Fisher, Grove, Howland, Jackson of Perry, Lord, Marsh, Owens, Parker, Richards, Tyler, Wagener, Williams and Wilson—18.

Those who voted in the negative were—

Messrs. Saltzgaber and Stokes—2.

So the bill passed. The title was agreed to.

S. B. No. 302—Mr. Dungan—To prevent unjust discrimination between shippers on railroads, and to punish violations thereof—was read the third time.

Mr. Dungan moved that the further consideration of said bill be postponed until to-morrow.

Which was agreed to.

The following bills were introduced, and read the first time :

S. B. No. 337—Mr. Owens—To authorize and empower the Council of the incorporated village of Ostrander, in Delaware county, Ohio, to transfer certain money from the general fund to the special street fund for the improvement of Main street in said village.

S. B. No. 338—Mr. Beer—To authorize the Council of the incorporated village of Ashland, Ashland county, Ohio, to make a contract with the Ashland Gas Works, for lighting streets, alleys and public buildings for a period not exceeding five years, and to levy taxes to pay the cost as it becomes due by the terms of said contract.

Mr. Benson presented the remonstrance of John Ryan and 33 other citizens of Mt. Gilead, Morrow county, against the passage of H. B. No. 817, by Mr. Levering.

Which was referred to the committee on Municipal Corporations.

Mr. Sherrick submitted the following report :

The standing committee on Finance, to whom was referred H. B. No. 893—Making appropriations for the support of the common schools - having had the same under consideration, report it back, and recommend its passage.

J. SHERRICK,
JOHN SEITZ,

THOS. M. BEER,
H. W. CURTISS.

Said bill was ordered to be engrossed and read the third time now, and was then read.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 22, nays none, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Carlisle, Carson, Curtiss, Forrest, Grove, Howland, Jackson of Clinton, Lord, Marsh, Owens, Parker, Sabine, Seitz, Sherrick, Stokes, Tyler, Wagener, Williams and Wilson—22.

So the bill passed. The title was agreed to.

On motion of Mr. Forrest, the Senate took a recess.

THREE O'CLOCK P.M.

On demand of Mr. Forrest, a call of the Senate was had.
Twenty-five Senators answered to their names.

Messrs. Benson, Carson, Irvine, Jackson of Perry, Johnston, Joy, McDonald, Richards and Wilson were absent.

On motion of Mr. Seitz, further proceedings under the call were dispensed with.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bills, in which the concurrence of the Senate is requested:

H. B. No. 943—Mr. Estill—To authorize the Board of Education of the village of Millersburg to borrow money and levy a tax to pay indebtedness and repair school-house.

H. B. No. 945—Mr. Turner—To authorize the incorporation of free avenue companies.

Attest:

L. A. BRUNNER, *Clerk.*

Said bills were read the first time.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The following bills have been introduced in the House of Representatives, and read the first time:

H. B. No. 958—Mr. Clough—To allow Boards of Education to transfer books from public libraries.

H. B. No. 959—Mr. Covert—To amend section five of an act entitled an act to amend section five of an act making provisions for the incorporation of cemetery associations, passed February 24, 1848, and passed March 12, 1873.

H. B. No. 960—Mr. Lovelace—To amend section twenty-four of an act entitled an act to provide for the reorganization, government and better regulation of Longview Asylum, and to repeal certain acts therein named.

H. B. No. 961—Mr. Johnson—To authorize the Commissioners of Tuscarawas county, Ohio, to open a certain county road, heretofore established, through part of Dover, Fairfield and Lawrence townships, in said county.

H. B. No. 962—Mr. Sawyer—To create two election precincts in the township of Duchouquet, Auglaize county, Ohio.

H. B. No. 963—Mr. Wright—To amend an act to provide for the election and qualification of the Clerk of the Supreme Court of Ohio, and prescribing the duties and fixing the compensation of said Clerk, passed March 29, 1875, and the acts amendatory thereto, passed March 11, 1867, and April 5, 1866, (S. & Rev. S., pp. 71-74).

Attest:

L. A. BRUNNER, *Clerk.*

Mr. Saltzgaber submitted the following report:

The committee of Conference, to whom was referred the matters of difference between the two Houses on S. J. R. No. 55, by Mr. Dungan, having had the same under consideration, having agreed, recommend that, as a compromise, the word "three" be inserted in line 15, between

the words "and" and "dollars", and that "not more than" be inserted before "\$1600" in line 15.

G. M. SALTZGABER,
R. G. RICHARDS,
J. C. FISHER,

Committee on part of the Senate.

J. W. WASHBURN,
J. F. OGLEVEE,
WM. H. REED,

Committee on part of the House.

The question being on agreeing to the report of the committee, the yeas and nays were ordered, taken, and resulted—yeas 16, nays 5, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beer, Carlisle, Dungan, Fisher, Forrest, Jackson of Perry, Marsh, Parker, Saltzgaber, Seitz, Sherrick, Stokes, Tyler, Williams and Wilson—16.

Those who voted in the negative were—

Messrs. Curtiss, Howland, Kelley, Owens and Sabine—5.

So the report of the committee was disagreed to.

Mr. Saltzgaber moved that the vote whereby the Senate refused to agree to the report of said Conference committee be reconsidered.

Which was agreed to.

On motion of Mr. Saltzgaber, said report was laid on the table.

On motion of Mr. Forrest, the Senate went into committee of the Whole, for the consideration of H. B. No. 602, made the special order for 11 o'clock A.M. to-day, and after some time spent therein, arose, reported progress, and asked leave to sit again.

Which was granted.

Mr. Curtiss submitted the following report :

The standing committee on Finance, to whom was referred H. B. No. 775—To provide for indexing the land records of Greene county—having had the same under consideration, report it back, and recommend its passage.

H. W. CURTISS,	THOS. M. BEER,
JOHN SEITZ,	H. C. LORD,
J. SHERRICK,	J. C. FISHER.

Said bill was ordered to be engrossed and read the third time to-morrow.

Mr. Beer submitted the following report :

The standing committee on Finance, to whom was referred H. B. No. 935 To authorize the purchase and sale of certain buildings and land in Hampden, Geauga county—having had the same under consideration, report it back, and recommend its passage.

J. C. FISHER,	THOS. M. BEER,
H. W. CURTISS,	JOHN SEITZ.
J. SHERRICK,	

Said bill was ordered to be engrossed and read the third time to-morrow,

Mr. Seitz submitted the following report :

The standing committee on Finance, to whom was referred H. B. No. 832—To authorize the Commissioners of Fayette county to refund and pay to Evans James certain moneys wrongfully assessed against him—

having had the same under consideration, report it back, and recommend its passage.

JOHN SEITZ,	H. W. CURTISS,
J. C. FISHER,	J. M. CARSON.
J. SHERRICK,	

Said bill was ordered to be engrossed and read the third time to-morrow. Leave of absence was asked and obtained for Mr. Irvine for to-day.

Mr. Dungan submitted the following report:

The select committee, to whom was referred S. B. No. 335—To amend an act entitled an act to amend an act entitled an act for the relief of the poor, and to repeal certain acts therein named, passed April 12, 1876, (O. L., 75, p. 14), and to repeal certain acts therein named having had the same under consideration, report it back, with the following amendments, and recommend its passage when so amended:

In line 5, strike out "a part of"; and add to line 11: "and any physician rendering services for paupers shall receive as payment in full for his services such sum as the trustees, or any two of them shall, decide is just and reasonable".

IRVINE DUNGAN,
T. M. BEER,
WM. H. STOKES.

Said amendments were agreed to, and the bill was ordered to be engrossed and read the third time to-morrow.

On motion of Mr. Lord, the Senate adjourned.

Attest:

ALLEN O. MYERS, *Clerk.*

THURSDAY, April 10, 1879—10 o'clock A.M.

The Senate met pursuant to adjournment.

Prayer by Rev. H. A. Shisler.

The Journal was read and approved.

Mr. Beer presented the petition of J. Gahn, Mayor, and City Council of Ashland, Ashland county, Ohio, asking that an act be passed enabling them to contract with the Ashland Gas Company for lighting the streets and alleys for a term not exceeding five years.

Which was referred to the committee on Finance.

Mr. Richards presented the petition of J. S. Clemmer and 20 other citizens of Columbiana county, for the passage of an act to authorize villages to choose one or more school examiners.

Which was referred to the committee on Common Schools and School Lands.

Mr. Curtiss presented the remonstrance of Joseph Smith and 119 other citizens of Royalton, Cuyahoga county, against the passage of Foster's Infirmary Bill, and ask, should the bill pass, that the township of Royalton be excluded from the territory to be taxed for such purpose.

Which was referred to the committee on Finance.

Mr. Richards moved that H. B. No. 706 be taken from the table.

Which was agreed to.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 22, nays none, as follow:

Those who voted in the affirmative were—

Messrs. Beebe, Benson, Carlisle, Curtiss, Dungan, Fisher, Forrest, Irvine, Jackson of Clinton, Jackson of Perry, Kelley, Krimmel, Lord, Owens, Parker, Richards, Sherrick, Stokes, Tyler, Wagener, Williams and Wilson—22.

So the bill passed. The title was agreed to.

Bills were read the second time and referred, as follows :

H. B. No. 943—Mr. Estill—To authorize the Board of Education of the village of Millersburg to borrow money and levy a tax to pay indebtedness, and repair school-house.

Committee on Common Schools and School Lands.

H. B. No. 945—Mr. Turner—To authorize the incorporation of free avenue companies.

Committee on Municipal Corporations.

S. B. No. 337—Mr. Owens—To authorize and empower the Council of the incorporated village of Ostrander, in Delaware county, Ohio, to transfer certain money from the general fund to the special street fund for the improvement of Main street in said village.

Committee on Municipal Corporations.

S. B. No. 338—Mr. Beer—To authorize the Council of the incorporated village of Ashland, Ashland county, Ohio, to make a contract with the Ashland Gas Works for lighting streets, alleys, and public buildings for a period not exceeding five years, and to levy taxes to pay the cost as it becomes due by the terms of said contract.

Committee on Finance.

H. B. No. 755—Mr. Greene—To provide for indexing the land records of Greene county—was read the third time.

The question being “Shall the bill pass?” the yeas and nays were taken, and resulted—yeas 25, nays none, as follow :

Those who voted in the affirmative were—

Messrs. Beebe, Beer, Benson, Carlisle, Curtiss, Dungan, Fisher, Grove, Howland, Jackson of Clinton, Joy, Kelley, Krimmel, Lord, Owens, Richards, Sabine, Saltzgaber, Seitz, Sherrick, Stokes, Tyler, Wagener, Williams and Wilson—25.

So the bill passed. The title was agreed to.

H. B. No. 935—Mr. Hitchcock—To authorize the purchase and sale of certain buildings and land in Hampden, Geauga county—was read the third time.

The question being “Shall the bill pass?” the yeas and nays were taken, and resulted—yeas 25, nays none, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Curtiss, Dungan, Fisher, Grove, Howland, Jackson of Clinton, Jackson of Perry, Joy, Kelley, Krimmel, Lord, Marsh, Richards, Sabine, Seitz, Sherrick, Stokes, Tyler, Wagener, Williams and Wilson—25.

So the bill passed. The title was agreed to.

H. B. No. 832—Mr. Quinby—To authorize the Commissioners of Fayette county to refund and pay to Evans James certain moneys wrongfully assessed against him—was read the third time.

The question being “Shall the bill pass?” the yeas and nays were taken, and resulted—yeas 29, nays none, as follow :

Those who voted in the affirmative were —

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Curtiss, Dungan,

Fisher, Forrest, Grove, Howland, Irvine, Jackson of Clinton, Jackson of Perry, Joy, Kelley, Krimmel, Lord, Marsh, Owens, Sabine, Saltzgaber, Seitz, Sherrick, Stokes, Tyler, Wagener, Williams and Wilson—29.

So the bill passed. The title was agreed to.

S. B. No. 335—Mr. Dungan—To amend an act entitled an act to amend an act entitled an act for the relief of the poor, and to repeal certain acts therein named, passed April 12, 1876, (75, O. L., 14), and to repeal certain acts therein named—was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 27, nays 1, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Curtiss, Dungan, Fisher, Forrest, Grove, Howland, Irvine, Jackson of Clinton, Joy, Krimmel, Lord, Marsh, Owens, Sabine, Saltzgaber, Seitz, Sherrick, Stokes, Tyler, Wagener, Williams and Wilson 27.

Mr. Richards voted in the negative.

So the bill passed. The title was agreed to.

The following bills were introduced, and read the first time :

S. B. No. 339—Mr. Curtiss—To amend section eight of an act entitled an act for the protection of wool-growers, and the confiscation of dogs, passed May 5, 1877.

S. B. No. 340—Mr. Joy—To amend section ten, of chapter six, division two of an act entitled an act to revise and consolidate the laws relating to civil procedure in Courts of Common Pleas and Superior Courts, in District Courts on appeal, and also the laws relating to procedure in error, mandamus and quo warranto, passed May 14, 1878, (O. L., Vol. 75, pp. 613 and 614.)

Mr. Sherrick submitted the following report:

The standing committee on Finance, to whom was referred H. B. No. 892—Making appropriations to pay interest on the public debt, and the expenses of the Sinking Fund Commissioners—having had the same under consideration, report it back, and recommend its passage.

JOHNSON SHERRICK, JOHN SEITZ,
H. W. CURTISS, J. C. FISHER.
THOS. M. BEER,

Said bill was ordered to be engrossed and read the third time now, and was then read.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 29, nays none, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Curtiss, Fisher, Forrest, Grove, Howland, Irvine, Jackson of Clinton, Jackson of Perry, Joy, Kelley, Krimmel, Lord, Owens, Parker, Richards, Sabine, Saltzgaber, Seitz, Sherrick, Stokes, Tyler, Wagener, Williams and Wilson—29.

So the bill passed. The title was agreed to.

Mr. Howland submitted the following report :

The standing committee on Judiciary, to whom was referred Substitute for H. J. R.'s Nos. 68, 73 and 84, for amending the Constitution of the State of Ohio—having had the same under consideration, report it back, and recommend that the following be substituted for the pending amendment:

After the word "ten", in line 6, insert the following: "and section two of Article XI.:"

ARTICLE XI.

SEC. 2. Every county shall be entitled to one representative, and every county containing said ratio and three-fourths over, shall be entitled to two representatives; every county containing three times said ratio, shall be entitled to three representatives, and so on, requiring, after the first two, an entire ratio for each additional representative.

Insert at the end of line 43, after the word "No", the following, to wit: and those who favor the adoption of Section 2, Article XI., shall have placed upon their ballotts the words: "Amendment to Section 2, Article XI. of the Constitution—Yes"; and those who do not favor the adoption of said amendment, shall have placed upon their ballots the words "Amendment to Section 2, Article XI. of the Constitution—No."

And the committee make no further recommendation.

W. T. FORREST, W. P. HOWLAND,
G. M. SALTZGABER, IRVINE DUNGAN.

The question being on agreeing to the report of the committee—

On demand of Mr. Beer, a call of the Senate was had.

Twenty-seven Senators answered to their names.

Messrs. Carlisle, Carson, Dungan, Grove, Johnston, McDonald and Richards were absent.

On motion of Mr. Howland, further proceedings under the call were dispensed with.

The question recurring on agreeing to the report of the committee, the yeas and nays were demanded, taken, and resulted—yeas 6, nays 14, as follow:

Those who voted in the affirmative were—

Messrs. Beer, Fisher, Howland, Jackson of Perry, Kelley and Wilson—6.

Those who voted in the negative were—

Messrs. Beebe, Carlisle, Curtiss, Forrest, Joy, Lord, Owens, Parker, Saltzgaber, Seitz, Sherrick, Stokes, Wagener and Williams—14.

So the report of the committee was disagreed to.

The question recurring on the adoption of the joint resolution, (Substitute for H. J. R.'s Nos. 68, 73 and 84), the yeas and nays were taken, and resulted—yeas 22, nays 2, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Curtiss, Dungan, Fisher, Jackson of Clinton, Jackson of Perry, Joy, Kelley, Lord, Marsh, Owens, Parker, Saltzgaber, Seitz, Sherrick, Tyler, Williams and Wilson—22.

Messrs. Sabine and Stokes voted in the negative.

So the joint resolution was adopted.

Mr. Curtiss moved to take S. B. No. 242 from the table.

Which was agreed to.

The question being on concurring in the House amendments to said bill, the yeas and nays were demanded, taken, and resulted—yeas 5, nays 19, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Carlisle, Seitz, Stokes and Wagener—5.

Those who voted in the negative were—

Messrs. Beebe, Beer, Benson, Curtiss, Fisher, Grove, Howland, Irvine, Jackson of Clinton, Jackson of Perry, Kelley, Lord, Marsh, Owens, Sabine, Saltzgaber, Tyler, Williams and Wilson—19.

So the Senate refused to concur in said House amendments.
On motion of Mr. Benson, the Senate took a recess.

THREE O'CLOCK P.M.

Mr. Curtiss moved that the vote whereby Substitute for H. J. R.'s Nos. 68, 73 and 84 was adopted, be reconsidered.

Which was agreed to.

The question being on agreeing to Mr. Howland's amendment to section 2, of Article XI. of said joint resolution, the same was disagreed to.

The question then being on the adoption of said joint resolution—

On demand of Mr. Fisher, a call of the Senate was had.

Twenty-five Senators answered to their names.

Messrs. Carson, Dungan, Jackson of Perry, Johnston, Kelley, Krimmel, McDonald, Sabine and Wagener were absent.

On motion of Mr. Fisher, the Sergeant-at-Arms was dispatched for absentees.

Messrs. Jackson of Perry and Dungan having appeared within the bar of the Senate, and answered to their names—

Mr. Beer moved that further proceedings under the call be dispensed with.

Which was disagreed to.

Mr. Wagener having appeared within the bar of the Senate, and answered to his name—

Mr. Richards moved that further proceedings under the call be dispensed with.

Which was disagreed to.

The Sergeant-at-Arms appeared at the bar of the Senate, and reported that he had found Messrs. Jackson of Perry, Dungan and Wagener, and that he could not find any additional Senators in the city.

Mr. Fisher moved that the last vote whereby the Senate refused to dispense with further proceedings under the call be reconsidered.

Which was agreed to.

The question being on dispensing with further proceedings under the call, the same was agreed to.

The question then recurring on the adoption of the joint resolution, the yeas and nays were ordered, taken, and resulted—yeas 22, nays 5, as follow :

Those who voted in the affirmative were—

Messrs. Beebe, Beer, Benson, Carlisle, Curtiss, Fisher, Irvine, Jackson of Perry, Joy, Lord, Marsh, Owens, Parker, Richards, Saltzgaber, Seitz, Sherrick, Stokes, Tyler, Wagener, Williams and Wilson—22.

Those who voted in the negative were—

Messrs. Armstrong, Forrest, Grove, Howland and Jackson of Clinton—5.
So said joint resolution was adopted.

MESSAGE FROM THE GOVERNOR.

THE STATE OF OHIO, EXECUTIVE DEPARTMENT,

COLUMBUS, 10th day of April, 1879.

To the Senate:

I have the honor to nominate, and by and with the advice and consent of the Senate, appoint John Shriner, of Middleport, Meigs county, Ohio, to be a Trustee of the Athens Asylum for the Insane, for the period of five years, from April 4, 1879.

Very respectfully,

RICHARD M. BISHOP.

On motion, said communication was referred to the committee on Benevolent Institutions.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has concurred in the adoption of the following joint resolution:

S. J. R. No. 67—Mr. Jackson of Perry—Proposing an amendment to the Constitution of Ohio.

Attest:

L. A. BRUNNER, *Clerk*.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has adopted the following joint resolution, in which the concurrence of the Senate is requested:

H. J. R. No. 107—Mr. Covert—As to regulating sleeping-car fares.

Attest:

L. A. BRUNNER, *Clerk*.

On motion of Mr. Curtiss, said joint resolution was referred to the committee on Railroads, Turnpikes and Telegraphs.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives recedes from its amendments to—

S. B. No. 242—Mr. Curtiss—To authorize the City Council of the city of Cleveland to levy a tax for building an armory, and to transfer certain funds therein named, temporarily, to an armory fund.

Attest:

L. A. BRUNNER, *Clerk*.

Mr. Benson presented the petition of J. F. Bowen and 208 other citizens of Mt. Gilead, Morrow county, praying for the passage of H. B. No. 817.

Which was referred to the committee on Municipal Corporations.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The House of Representatives has passed the following bills, in which the concurrence of the Senate is requested :

H. B. No. 830—Mr. Crosson—To authorize the Commissioners of Clermont county to levy a tax.

H. B. No. 936—Mr. Groschner—To authorize a certain improvement in the village of Napoleon.

Attest :

L. A. BRUNNER, *Clerk.*

Said bills were read the first time.

Mr. Wilson submitted the following report :

The committee on Revision has examined, and found correctly engrossed, the Substitute for H. J. R.'s Nos. 68, 73 and 84.

G. W. WILSON,

J. C. FISHER,

G. M. SALTZGABER.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The House of Representatives has refused to agree to the report of the committee of Conference on—

S. J. R. No. 55—Mr. Dungan—Relating to the fees of county officers.

Attest :

L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The House of Representatives has refused to agree to the report of the committee of Conference on—

S. B. No. 241—Mr. Tyler—To amend section six, chapter five, title two of an act entitled an act to amend, revise and consolidate the statutes relating to criminal procedure, (O. L., Vol. 74, p. 340.)

Attest :

L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The House of Representatives has adopted the following joint resolution, in which the the concurrence of the Senate is requested :

H. J. R. No. 113—Mr. Meuser—As to numbering the sections of the revised and consolidated laws, consecutively.

Attest :

L. A. BRUNNER, *Clerk.*

The question being on the adoption of said joint resolution, the yeas and nays were ordered, taken, and resulted—yeas 21, nays none, as follows :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Carlisle, Curtiss, Dungan, Fisher,

Forrest, Grove, Howland, Jackson of Clinton, Marsh, Owens, Parker, Saltzgaber, Seitz, Stokes, Tyler, Wagener, Williams and Wilson—21.

So the joint resolution was adopted.

Mr. Carlisle submitted the following report:

The committee on Roads and Highways, to whom was referred H. B. No. 824—To amend section nineteen of the act entitled an act for the incorporation of townships, passed March 14, 1853, (51 Vol. Stat., 489)—having had the same under consideration, report it back, and recommend its passage.

B. W. CARLISLE,	THOS. S. JACKSON,
JOHN H. BENSON,	C. S. PARKER.

Said bill was ordered to be engrossed and read the third time to-morrow.

On motion of Mr. Sherrick, the Senate went into committee of the Whole, for the consideration of H. B. No. 602, and after some time spent therein, arose, and reported the bill back, with the following amendments, and recommended its passage when so amended:

Chapter 2, section 9, page 12, line 10, after the word "order," insert: "and of the day by which claims for compensation must be filed."

Section 20, page 18, line 8, strike out "embraced," and insert "rendered unnecessary."

In section 11, page 42, line 4, strike out the word "be" after the word "be."

Section 16, page 44, in the reference to the law, strike out the figures "13," and insert "113", so as to read: "Volume 72, 113th page, section 11."

Section 18, page 45, in the reference to the law, strike out the figures "78", and insert "74."

In section 2, page 61, line 12: After the word "remove", insert: "for cause."

In section 2, page 62, line 20: Strike out the word "tax-payers," and insert "land owners."

Strike out the words "jointly with the petitioners," from line 7, of section 9; also from line 8, of same section, strike out the words "the proportion of."

SEC. 34. The county commissioners shall cause stone monuments to be placed at the beginning, intermediate points, and termination of all roads laid out and established under the provisions of this chapter, and said monuments shall be noted in their record of roads.

In section 30, page 111, in line 11, between the words "counties" and "and", insert: "and fix the width of tire, not exceeding five and one-half inches, of vehicles used in transporting heavy loads over the same."

Mr. Sherrick moved that the Senate agree to said amendments, reported by the committee of the Whole.

Which was agreed to.

On motion, said bill was made the special order of the hour for 3 o'clock P.M. to-morrow, and the amendments were ordered to be printed.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The Speaker of the House of Representatives has, in the presence of the House, signed the following bill and joint resolution:

S. B. No. 201—Mr. Armstrong—Creating the office of criminal bailiff,

and to prescribe his duties, in counties of the first class having a population of one hundred and eighty thousand and upwards.

S. J. R. No. 67—Mr. Jackson of Perry—Proposing an amendment to the Constitution of Ohio.

Attest:

L. A. BRUNNER, *Clerk*.

The President, in presence of the Senate, signed said bill and joint resolution.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The House of Representatives has refused to concur in Senate amendments to—

Substitute for H. J. R.'s Nos. 68, 73 and 84, Judiciary committee—As to amending the Constitution of Ohio.

Attest:

L. A. BRUNNER, *Clerk*.

Mr. Seitz moved that the Senate insist on its amendment to said joint resolution, and request the appointment of a committee of Conference.

Which was agreed to.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The House of Representatives has reconsidered the vote by which it refused to agree to the report of the Conference committee on—

S. B. No. 241—Mr. Tyler—To amend section six, chapter five, title two of an act entitled an act to amend, revise and consolidate the statutes relating to criminal procedure, (O. L., Vol. 74, p. 340)—and has agreed to said report.

Attest:

L. A. BRUNNER, *Clerk*.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The House of Representatives has passed the following bill, in which the concurrence of the Senate is requested:

H. B. No. 937—Mr. Bull - For the relief of Joseph Stofer.

Attest:

L. A. BRUNNER, *Clerk*.

Said bill was read the first time.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The House of Representatives has refused to agree to the report of the Conference committee on—

S. J. R. No. 55—Mr. Dungan—Relating to the fees of county officers—and request, the appointment of another committee of Conference.

Attest:

L. A. BRUNNER, *Clerk*.

Mr. Seitz moved that the Senate accede to the request of the House.

Which was agreed to, and the President appointed Messrs. Seitz, Wilson and Carlisle as such committee on part of the Senate.

Mr. Dungan submitted the following report :

The joint committee on Enrollment has examined, and found correctly enrolled, the following bills and joint resolution :

H. B. No. 898—To authorize the Agricultural Society of Franklin county to borrow money.

S. B. No. 201—Creating the office of criminal bailiff, and to prescribe his duties, in counties of the first class having a population of one hundred and eighty thousand and upwards.

S. J. R. No. 67—That a proposition to amend the Constitution of the State of Ohio be submitted to the electors of the State, on the second Tuesday of October, A. D. 1879, as follows: that sections 3 and 5, of article 4, entitled "judicial," be amended.

IRVINE DUNGAN,	E. S. PERKINS,
R. G. RICHARDS,	C. R. HARMON,
C. F. KRIMMEL,	WM. JESSUP.
F. M. CARTER,	

On motion of Mr. Richards, the Senate adjourned.

Attest :

ALLEN O. MYERS, *Clerk.*

FRIDAY, *April* 11, 1879—10 o'clock A.M.

The Senate met pursuant to adjournment.

Prayer by Rev. W. A. Shisler.

The Journal was read and approved.

Leave of absence was asked and obtained for Mr. Owens until Monday next.

Mr. Johnston presented the petition of Isaac W. Kirk and 75 other citizens of Canfield, Mahoning county, asking for the passage of an act to authorize the Council of said village to make and levy a tax for the purpose of building and repairing sidewalks in said village.

Which was referred to the committee on Municipal Corporations.

Mr. Beer presented the petition of T. A. Vantilberg and ten other citizens of Ashland and Richland counties, in reference to Virginia military school lands.

Which was referred to the committee on Common Schools and School Lands.

Bills were read the second time and referred, as follows :

H. B. No. 830—Mr. Crosson—To authorize the Commissioners of Clermont county to levy a tax.

Committee on Railroads, Telegraphs and Turnpikes.

H. B. No. 936—Mr. Groschner—To authorize a certain improvement in the village of Napoleon.

Committee on Municipal Corporations.

H. B. No. 937—Mr. Bull—For the relief of Joseph Stofer.

Committee on Finance.

S. B. No. 339—Mr. Curtiss—To amend section eight of an act entitled an act for the protection of wool-growers, and the confiscation of dogs, passed May 5, 1877, (p. 178.)

Committee on Finance.

S. B. No. 340—Mr. Joy—To amend section ten, of chapter six, division two of an act entitled an act to revise and consolidate the laws relating to civil procedure in Courts of Common Pleas and Superior Courts, in District Courts on appeal, and also the laws relating to procedure in error, mandamus and quo warranto, passed May 14, 1878, (Vol. 75, O. L., pp. 613–614).

Committee on the Judiciary.

H. B. No. 824—Mr. Foster—To amend section nineteen of the act entitled an act for the incorporation of townships, passed March 14, 1853, (51 Vol. Statutes, 489)—was read the third time.

The question being “Shall the bill pass?” the yeas and nays were taken, and resulted – yeas 19, nays none, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Carlisle, Carson, Curtiss, Dungan, Fisher, Irvine, Jackson of Clinton, Johnston, Kelley, Krimmel, Lord, McDonald, Seitz, Stokes, Tyler and Williams—19.

So the bill passed. The title was agreed to.

The following bills were introduced, and read the first time :

S. B. No. 341—Mr. Johnston—To authorize the Council of the village of Canfield, Mahoning county, Ohio, to levy a tax for the construction and repair of sidewalks.

S. B. No. 342—Mr. Tyler—To provide for the publication and distribution of the consolidated statutes of Ohio, and to repeal a certain act therein named.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The House of Representatives accedes to the request of the Senate, and has appointed Messrs. Estill, Van Cleaf and Covert a committee of Conference on the part of the House, to consider the differences existing between the two Houses on—

Substitute for H. J. R.’s Nos. 68, 73 and 84—By the Judiciary committee—Relating to an amendment to the Constitution of Ohio.

Attest :

L. A. BRUNNER, *Clerk.*

The President appointed Messrs. Lord, Krimmel and Beebe as such committee on part of the Senate.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The House of Representatives has passed the following bills, in which the concurrence of the Senate is requested :

H. B. No. 621—Mr. Edwards—Supplemental to an act entitled an act to punish certain offenses therein named, passed April 27, 1878, (Vol. 75, p. 124), and also supplementary to an act entitled an act supplementary to an act to amend, revise and consolidate the statutes relating to crimes and offenses, and to repeal certain acts therein named, to be known as title one, crimes and offenses, part four of the act to revise and consolidate the general statutes of Ohio, passed May 5, 1877, passed May 10, 1878, (Vol. 75, p. 141.)

H. B. No. 801—Mr. Sullivan of Miami—To amend the act of March 12, 1831, entitled an act prescribing the duties of county Treasurers, (29 Vol., 291 ; S. & C., 1584.)

Attest :

L. A. BRUNNER, *Clerk*.

Said bills were read the first time.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The House of Representatives has appointed Messrs. Bohl, Booth and Townsend a committee of Conference on part of the House to consider the differences existing between the two Houses on—

S. J. R. No. 55— Mr. Dungan—Relating to the fees of county officers.

Attest :

L. A. BRUNNER, *Clerk*.

On motion of Mr. Curtiss, the Senate took a recess.

THREE O'CLOCK P.M.

Mr. Curtiss submitted the following report :

The standing committee on Finance, to whom was referred S. B. No. 338—To authorize the Council of the incorporated village of Ashland, Ashland county, to make a contract with the Ashland Gas Works for lighting streets, alleys and public buildings for a period not exceeding five years, and to levy taxes to pay cost as it becomes due by the terms of said contract—having had the same under consideration, report it back, and recommend its passage.

H. W. CURTISS,
J. SHERRICK,

H. C. LORD,
JOHN SEITZ.

Said bill was ordered to be engrossed and read the third time on Tuesday next.

Mr. Sherrick submitted the following report :

The standing committee on Finance, to whom was referred S. B. No. 339—To amend section eight of an act entitled an act for the protection of wool-growers and the confiscation of dogs, passed May 5, 1877, (p. 178)—having had the same under consideration, report it back, with the following amendment and recommend its passage when so amended:

Insert after the word "right," in line 15, of section 1, as follows: "but such allowance shall not exceed the amount at which such sheep were last listed for taxation."

J. SHERRICK,
H. W. CURTISS,
THOS. M. BEER,

J. M. CARSON,
JOHN SEITZ.

Said bill was ordered to be engrossed and read the third time tomorrow.

Mr. Marsh submitted the following report :

The standing committee on Municipal Corporations, to whom was referred S. B. No. 337—To authorize and empower the Council of the incorporated village of Ostrander, in Delaware county, Ohio, to transfer certain money from the general fund to the special street fund, for the

improvement of Main street in said village—having had the same under consideration, report it back, and recommend its passage.

THEO. MARSH, G. A. GROVE,
G. M. SALTZGABER, G. W. WILSON.

Said bill was ordered to be engrossed and read the third time on Tuesday next.

Mr. Marsh submitted the following report :

The standing committee on Municipal Corporations, to whom was referred H. B. No. 665 — To amend section forty-three, chapter four, division seven of an act entitled an act to amend, revise and consolidate the statutes relating to municipal corporations, to be known as title twelve, part one of the act to revise and consolidate the general statutes of Ohio, passed May 14, 1878, (75, L., p. 322)—having had the same under consideration, report it back, and recommend its passage.

THEO. MARSH, G. A. GROVE,
G. W. WILSON, G. M. SALTZGABER.

Said bill was ordered to be engrossed and read the third time on Tuesday next.

Mr. Marsh submitted the following report :

The standing committee on Municipal Corporations, to whom was referred H. B. No. 777—To authorize the Council of the village of Franklin, in Warren county, Ohio, to borrow money and issue bonds for the purpose of repairing, building, and furnishing the town-hall building in said village—having had the same under consideration, report it back, and recommend its passage.

THEO. MARSH, G. W. WILSON,
G. A. GROVE, G. M. SALTZGABER.

Said bill was ordered to be engrossed and read the third time on Tuesday next.

Mr. Marsh submitted the following report :

The standing committee on Municipal Corporations, to whom was referred H. B. No. 817—To amend section one of an act relating to incorporated villages, which by the federal census of 1870 had, and which by any subsequent federal census may have a population of one thousand and eighty-seven, passed and took effect April 16, 1878, (O. L., Vol. 75, pp. 110–111)—having had the same under consideration, report it back without recommendation.

THEO. MARSH, G. M. SALTZGABER,
LYMAN J. JACKSON, R. G. RICHARDS,
G. A. GROVE, JAS. B. STEEDMAN.

Said bill was ordered to be engrossed and read the third time on Tuesday next.

Mr. Grove submitted the following report :

The standing committee on Municipal Corporations, to whom was referred H. B. No. 945—To authorize the incorporation of free avenue companies—having had the same under consideration, report it back, and recommend its passage.

G. A. GROVE,
THEO. MARSH,
G. W. WILSON.

Said bill was ordered to be engrossed and read the third time on Tuesday next.

Mr. Marsh submitted the following report :

The standing committee on Municipal Corporations, to whom was referred S. B. No. 328 - To amend section two, chapter four, page 467 of the act to revise and consolidate the statutes of Ohio—having had the same under consideration, report it back, and recommend its passage.

THEO. MARSH,	G. W. WILSON,
G. A. GROVE,	G. M. SALTZGABER.

Said bill was ordered to be engrossed and read the third time on Tuesday next.

Mr. Dungan submitted the following report :

The joint committee on Enrollment has examined, and found correctly enrolled, the following bills:

H. B. No. 892—Making appropriations to pay interest on the public debt, and the expenses of the Sinking Fund Commissioners.

H. B. No. 935—To authorize the purchase and sale of certain buildings and land in Hampden, Geauga county.

H. B. No. 893—Making appropriations for the support of common schools.

H. B. No. 755—To provide for indexing the land records of Greene county.

H. B. No. 710 - To amend an act supplementary to an act entitled an act for the réorganization and maintenance of common schools, passed May 1, 1873, and revised May, 1875.

H. B. No. 706—Supplementary to an act entitled an act for the reorganization and maintenance of common schools, passed May 1, 1873, (Sayler's Statutes, p. 3028), and to extend the time for lessees of section sixteen to comply with sections 143 and 144 of said act, who have complied with all provisions of said act except said sections.

S. B. No. 273—To provide for indexing the land records of Licking county.

S. B. No. 324—To authorize the Trustees of Pike township, Perry county, Ohio, to transfer certain funds therein named.

S. B. No. 242—To authorize the City Council of the city of Cleveland to levy a tax for building an armory, and to transfer certain funds therein named temporarily to an armory fund.

S. B. No. 208 - To amend section twenty-eight of an act entitled an act relating to roads and highways, as amended March 28, 1878, (O. L., Vol. 75, p. 83).

S. B. No. 310—For the relief of the heirs of R. W. Davis and J. R. Cahill, of York township, Union county, Ohio.

S. B. No. 303—To authorize the Commissioners of Marion county to borrow money to pay an indebtedness of the Marion and Mansfield free turnpike road, and to levy and assess a tax for the payment thereof.

S. B. No. 260—To authorize the creation of an additional school sub-district in Beaver Creek township, Greene county, Ohio.

IRVINE DUNGAN,	E. S. PERKINS,
R. G. RICHARDS,	C. R. HARMON,
J. R. JOHNSTON,	F. M. CARTER.
WM. JESSUP,	

Mr. Seitz submitted the following report :

The standing committee on Finance, to whom was referred H. B. No.

937—For the relief of Joseph Stofer—having had the same under consideration, report it back, and recommend its passage.

JOHN SEITZ, J. SHERRICK,
H. W. CURTISS, J. C. FISHER,
THOS. M. BEER, H. C. LORD.

Said bill was ordered to be engrossed and read the third time to-morrow.

The Senate then proceeded to the consideration of the special order of the hour, viz.:

H. B. No. 602—Mr. Hume—Relating to public ways.

Said bill was read the third time.

Mr. Wilson moved to refer the bill to a select committee of one, with instructions to amend as follows:

Page 86, section 9, line 12, between the words "shall" and "apportion," insert the following: "tax the cost against such person, and if there is more than one such person, then auditor shall".

Which was agreed to, and Mr. Wilson was appointed such committee, and reported the bill back amended as instructed.

The question being "Shall the bill pass?" the yeas and nays were taken and resulted—yeas 25, nays none, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Beer, Curtiss, Dungan, Fisher, Forrest, Grove, Howland, Irvine, Jackson of Clinton, Jackson of Perry, Johnston, Joy, Lord, Marsh, McDonald, Parker, Sabine, Saltzgaber, Seitz, Stokes, Tyler, Wagener, Williams and Wilson—25.

So the bill passed. The title was agreed to.

Mr. Wilson submitted the following report:

The standing committee on Municipal Corporations, to whom was referred H. B. No. 828—To authorize the Council of the incorporated village of Mt. Sterling, Madison county, Ohio, to transfer money from the sewer fund to the sinking fund—having had the same under consideration, report it back, and recommend its passage.

G. W. WILSON, G. A. GROVE,
THEO. MARSH, G. M. SALTZGABER.

Said bill was ordered to be engrossed and read the third time on Tuesday next.

Mr. Wilson submitted the following report:

The standing committee on Municipal Corporations, to whom was referred H. B. No. 843—To authorize the Trustees of Hiram township, Portage county, to build a vault and provide means for the payment of the same—having had the same under consideration, report it back, with the following amendments, and recommend its passage when so amended:

In line 11, section 1, strike out "three," and insert "ten."

Strike out all of section 3, and change the No. of section 4 to No. 3.

G. W. WILSON, G. A. GROVE,
THEO. MARSH, G. M. SALTZGABER.

Said amendments were agreed to, and the bill was ordered to be engrossed and read the third time on Tuesday next.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The Speaker of the House of Representatives has, in the presence of the House, signed the following bills:

S. B. No. 273—Mr. Owens—To provide for indexing the land records of Licking county.

S. B. No. 310—Mr. Sabine—For the relief of the heirs of R. W. Davis and J. R. Cahill, of York township, Union county, Ohio.

S. B. No. 242—Mr. Curtiss—To authorize the City Council of the city of Cleveland to levy a tax for building an armory, and to transfer certain funds therein named, temporarily, to an armory fund.

S. B. No. 208—Mr. Sherrick—To amend section twenty-eight of an act entitled an act relating to roads and highways, as amended March 28, 1878, (O. L., Vol. 75, p. 83.)

S. B. No. 324—Mr. Jackson of Perry—To authorize the Trustees of Pike township, Perry county, Ohio, to transfer certain funds therein named.

S. B. No. 303—Mr. Sabine—To authorize the Commissioners of Marion county to borrow money to pay an indebtedness of the Marion and Mansfield free turnpike road, and to levy and assess a tax for the payment thereof.

S. B. No. 260—Mr. Jackson of Clinton—To authorize the creation of an additional school sub-district in Beaver Creek township, Greene county, Ohio.

H. B. No. 898—Mr. White—To authorize the Agricultural Society of Franklin county to borrow money.

Attest :

L. A. BRUNNER, *Clerk*.

The President, in presence of the Senate, signed said bills.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The House of Representatives has passed the following bills, in which the concurrence of the Senate is requested :

H. B. No. 845—Mr. Oglevee—To enable the Commissioners of Clark, Miami, Pickaway and Pike counties to purchase toll-roads and convert the same into free roads.

H. B. No. 760—Mr. Sextro—To amend section five, of chapter eleven, division eight of an act entitled an act to amend, revise and consolidate the statutes relating to municipal corporations, to be known as title twelve, part one of the act to revise and consolidate the general statutes of Ohio, passed May 14, 1878.

Attest :

L. A. BRUNNER, *Clerk*.

Said bills were read the first time.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The following bills have been introduced in the House of Representatives, and read the first time :

H. B. No. 964—Mr. Reed of Ross—To amend the act of May 11, 1878, entitled an act to amend, revise and consolidate the statutes relating to taxation, to be known as title thirteen, part one of the act to revise and consolidate the general statutes, (Vol. 75, p. 436).

H. B. No. 965—Mr. Kerr—To amend an act entitled an act to amend

an act passed April 6, 1866, entitled an act concerning Notaries Public and Commissioners and their duties, passed March 13, 1856, as amended April 11, 1876, (O. L., Vol. 73, p. 206).

H. B. No. 966—Mr. Clough—To authorize the Commissioners of Butler county, Ohio, to repair and grade Fort Hill.

H. B. No. 967—Mr. Dodds—Providing for the relief of William M. Corry.

H. B. No. 968—Mr. Van Cleaf—Relating to certain proposed amendments to the Constitution, and the publication thereof.

Attest :

L. A. BRUNNER, *Clerk*,

Mr. Jackson of Perry, on leave, introduced the following bill, which was read the first time :

S. B. No. 343—Relating to certain proposed amendments to the Constitution, and the publication thereof.

Mr. Jackson of Perry moved that the constitutional rule, requiring bills to be read on three different days, be suspended, that S. B. No. 343 may be read the second time.

On which motion the yeas and nays were taken, and resulted—yeas 27, nays none, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beer, Carlisle, Carson, Curtiss, Dungan, Fisher, Forrest, Howland, Irvine, Jackson of Clinton, Jackson of Perry, Johnston, Joy, Lord, Marsh, McDonald, Parker, Sabine, Saltzgaber, Seitz, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—27.

So the motion was agreed to, and said bill was read the second time.

Mr. Jackson of Perry moved that the constitutional rule, requiring bills to be read on three different days, be suspended, that S. B. No. 343 may be read the third time.

On which motion the yeas and nays were taken, and resulted—yeas 27, nays none, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Carlisle, Carson, Curtiss, Dungan, Fisher, Forrest, Howland, Irvine, Jackson of Clinton, Jackson of Perry, Johnston, Joy, Lord, Marsh, McDonald, Parker, Sabine, Saltzgaber, Seitz, Steedman, Stokes, Tyler, Wagener Williams and Wilson—27.

So the motion was agreed to, and the bill was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 27, nays 1, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Carlisle, Carson, Curtiss, Dungan, Fisher, Forrest, Howland, Irvine, Jackson of Clinton, Jackson of Perry, Johnston, Joy, Krimmel, Lord, Marsh, McDonald, Parker, Sabine, Seitz, Steedman, Stokes, Tyler, Williams and Wilson—27.

Mr. Saltzgaber voted in the negative.

So the bill passed. The title was agreed to.

Leave of absence was asked and obtained for Messrs. Beer, Forrest and Carlisle until Monday next.

Mr. Seitz submitted the following report :

The committee of Conference, to whom were referred the matters of difference between the two Houses on S. J. R. No. 55, having had the same under consideration, recommend, as a compromise, the word "two" be inserted in line 15, between the words "and" and "dollars"; also, in

same line, insert after the word "dollars", the words "and fifty cents"; and that "not more than" be inserted before "\$1600", in line 15.

JOHN SEITZ,
B. W. CARLISLE,
G. W. WILSON,

Committee on part of the Senate.

HENRY BOHL,
H. J. BOOTH,
CHAS. TOWNSEND,

Committee on part of the House.

The question being on agreeing to said report, the yeas and nays were taken, and resulted—yeas 24, nays 2, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Carson, Dungan, Fisher, Forrest, Howland, Johnston, Joy, Krimmel, Lord, Marsh, McDonald, Parker, Saltzgaber, Seitz, Steedman, Stokes, Tyler, Williams and Wilson— 24.

Those who voted in the negative were—

Messrs. Curtiss and Sabine—2.

So said report was agreed to.

On motion of Mr. Marsh, the Senate adjourned.

Attest :

ALLEN O. MYERS, *Clerk.*

SATURDAY, April 12, 1879—10 o'clock A.M.

The Senate met pursuant to adjournment.

Prayer by Rev. W. A. Shisler.

The Journal was read and approved.

Mr. Fisher submitted the following report :

The committee on Revision has examined, and found correctly engrossed, S. B. No. 343.

J. C. FISHER,
G. W. WILSON,
J. M. CARSON.

Mr. Curtiss moved that the committee on Printing be instructed to inquire as to the delay in the printing of the calendar.

Which was agreed to.

Mr. Howland submitted the following report :

The standing committee on Public Works, to whom was referred H. B. No. 686—Relating to surveys authorized by the Congress of the United States in the State of Ohio—having had the same under consideration, report it back, and recommend its passage.

W. P. HOWLAND, LYMAN J. JACKSON,
JAS. B. STEEDMAN, G. W. WILSON.

Said bill was ordered to be engrossed and read the third time now, and was then read.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 24, nays none, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Benson, Curtiss, Dungan, Fisher, Howland, Irvine, Jackson of Perry, Johnston, Joy, Krimmel, Lord, Marsh, McDonald, Parker, Sabine, Saltzgaber, Seitz, Steedman, Tyler, Wagener, Williams and Wilson—24.

So the bill passed. The title was agreed to.

Mr. Marsh submitted the following report:

The standing committee on Municipal Corporations, to whom was referred H. B. No. 936—To authorize a certain improvement in the village of Napoleon—having had same under consideration, report it back, and recommend its passage.

THEO. MARSH, LYMAN J. JACKSON,
G. W. WILSON, JAMES B. STEEDMAN.

Said bill was ordered to be engrossed and read the third time now, and was then read.

Mr. Seitz moved to refer the bill to a select committee of one, with instructions to amend as follows:

In section 3, line 4, strike out "7", and insert "6".

Which was disagreed to.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 22, nays none, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Benson, Carson, Curtiss, Fisher, Howland, Irvine, Jackson of Perry, Johnston, Joy, Krimmel, Lord, Marsh, McDonald, Parker, Saltzgaber, Steedman, Tyler, Wagener, Williams and Wilson—22.

So the bill passed. The title was agreed to.

Mr. Lord submitted the following report:

The committee of Conference, to whom were referred the matters of difference between the two Houses on Substitute for H. J. R.'s Nos. 68, 73 and 74, having had the same under consideration, recommend that the Senate recede from its amendment.

H. C. LORD,
C. F. KRIMMEL,
D. D. BEEBE,

Committee on part of the Senate.

JAS. A. ESTILL,
A. R. VAN CLEAF,
JOHN C. COVERT,

Committee on part of the House.

The question being on agreeing to the report of the Conference committee, the yeas and nays were taken, and resulted—yeas 24, nays none, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Benson, Carson, Curtiss, Dungan, Fisher, Irvine, Jackson of Perry, Johnston, Joy, Kelley, Krimmel, Lord, Marsh, McDonald, Parker, Saltzgaber, Seitz, Steedman, Tyler, Wagener, Williams and Wilson—24.

Said report was agreed to.

Mr. Carson submitted the following report:

The standing committee on Common Schools and School Lands, to whom was referred S. B. No. 203—To revise the laws relating to common

schools—having had the same under consideration, report it back, with the following amendments, and recommend its passage when so amended :

1. Page 44, chapter 8, section 9, line 1, strike out the words “except a township district.”

2. Page 61, chapter 10, section 14, strike out the entire section, and insert the following :

SECTION 14. Each school district treasurer or county treasurer, who is ex-officio treasurer of any school district, shall, before entering upon the duties of his office, execute a bond with sufficient security, in double the probable amount of money that shall come into his hands, payable to the State of Ohio, to be approved by the board of education, conditioned for the faithful disbursement, according to law, of all such funds as shall, from time to time, come into his hands: and the said board, at the time of the approval of such bonds, shall require the treasurer of the school funds to produce all moneys, bonds, or other securities in his hands as such treasurer, and the same shall be then counted by the board, or a committee thereof, in the presence of the clerk of the board of education, who shall thereupon enter upon the records of the board, a certificate setting fourth the exact amount of moneys or other securities so found in the hands of said treasurer; which record shall be signed by the president and clerk of the board, and shall be *prima facie* evidence that the amount therein stated was actually in the treasury at that date; said bond when so executed and approved shall be filed with the clerk of the board of education of said district, who shall immediately cause a certified copy thereof to be filed with the county auditor; said treasurer shall report to the board of education within ten days after his settlement with the county auditor, as hereinafter provided, the amount of funds in his hands for school purposes.

3. Page 68, chapter 11, section 8, line 3, strike out the word “ten”, and insert the word “five”; also, after the word “each”, in line 4, add: “township, village or special”.

4. Page 75, chapter 12, section 17, line 3, strike out the following words: “two, five, or ten years”, and insert: “six, twelve, eighteen or twenty-four months.”

5. Page 76, chapter 12, section 20, line 6, strike out the words “one, two or three years”, and insert: “six, twelve, eighteen or twenty-four months”.

6. Page 78, chapter 13, section 6, strike out all after the word “held”, in line 5, to the word “boards”, in line 10.

7. Page 79, chapter 13, section 7, strike out all after the word “twelve,” in line 6, to the word “if”, in line 8.

8. Page 79, chapter 13, section 8, lines 8 and 9, strike out the words “without forfeiture of pay for the time”.

J. M. CARSON,
D. WAGENER,

H. C. LORD,
C. F. KRIMMEL.

On motion of Mr. Carson, said report and amendments were laid on the table and ordered printed.

Bills were read the second time and referred, as follows :

H. B. No. 621—Mr. Edwards—Supplemental to an act entitled an act to punish certain offenses therein named, passed April 27, 1878, (Vol. 75, p. 124), and also supplementary to an act entitled an act supplementary to an act to amend, revise and consolidate the statutes relating to crimes and offenses, and to repeal certain acts therein named, to be known as

title one, crimes and offenses, part four of the act to revise and consolidate the general statutes of Ohio, passed May 5, 1877, passed May 10, 1878, (Vol. 75, p. 141.)

Committee on Mines and Mining.

H. B. No. 845 - Mr. Oglevee—To enable the Commissioners of Clark county to purchase toll-roads and convert the same into free roads.

Committee on Roads and Highways.

H. B. No. 760—Mr. Sextro—To amend section five, of chapter eleven, division eight of an act entitled an act to amend, revise and consolidate the statutes relating to municipal corporations, to be known as title twelve, part one of the act to revise and consolidate the general statutes of Ohio, passed May 14, 1878.

Committee on Municipal Corporations.

H. B. No. 801—Mr. Sullivan of Miami—To amend the act of March 12, 1831, entitled an act prescribing the duties of county treasurers, (29 Vol., p. 291; S. & C., p. 1584.)

Committee on Finance.

S. B. No. 341—Mr. Johnston—To authorize the Council of the village of Canfield, Mahoning county, Ohio, to levy a tax for the construction and repair of sidewalks.

Committee on Municipal Corporations.

S. B. No. 342—Mr. Tyler—To provide for the publication and distribution of the consolidated statutes of Ohio, and to repeal a certain act therein named.

Committee on Public Printing.

H. B. No. 937—Mr. Bull—For the relief of Joseph Stofer—was read the third time.

Mr. Seitz moved that the further consideration of said bill be postponed until Tuesday next.

Which was disagreed to.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 19, nays 1, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Benson, Curtiss, Fisher, Howland, Jackson of Perry, Johnston, Joy, Kelley, Lord, Marsh, McDonald, Parker, Sabine, Steedman, Tyler, Wagener and Williams—19.

Mr. Saltzgaber voted in the negative.

So the bill passed. The title was agreed to.

S. B. No. 339—Mr. Curtiss—To amend section eight of an act entitled an act for the protection of wool-growers, and the confiscation of dogs, passed May 5, 1877, (p. 178)—was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted - yeas 19, nays 1, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Benson, Curtiss, Howland, Jackson of Perry, Johnston, Joy, Lord, Marsh, McDonald, Parker, Sabine, Saltzgaber, Seitz, Steedman, Tyler, Wagener and Williams—19.

Mr. Fisher voted in the negative.

So the bill passed. The title was agreed to.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The House of Representatives requests the return of a certified copy of S. B. No. 296.

Attest :

L. A. BRUNNER, *Clerk.*

Mr. Seitz moved that the request of the House be acceded to.

Which was agreed to.

Mr. Marsh submitted the following report :

The standing committee on Municipal Corporations, to whom was referred S. B. No. 341—To authorize the Council of the village of Canfield, Mahoning county, Ohio, to levy a tax for the construction and repair of sidewalks—having had the same under consideration, report it back, and recommend its passage.

THEO. MARSH,

LYMAN J. JACKSON,

JAS. B. STEEDMAN, G. W. WILSON.

Said bill was ordered to be engrossed and read the third time on Tuesday next.

Mr. Jackson of Perry submitted the following report :

The standing committee on Judiciary, to whom was referred S. B. No. 271—To revise and consolidate the laws relating to private corporations—having had the same under consideration, report it back, with the following amendments, and without recommendation as to the bill or amendments :

1. Page 3, section 4, line 1, before the word "corporation," insert: "except for banking or for the purpose of buying, holding or dealing in real estate;" and after the word "themselves," in line 3, insert: "but (except railroad, turnpike, plank-road, express and magnetic telegraph companies), the stockholders shall be responsible for all the liabilities thereof."

2. Page 3, section 5, line 1, strike out "three", and insert "five."

3. Page 4, section 7, line 5, strike out "sufficient," and insert: "prima facie."

4. Page 4, section 11, line 2, strike out "three," and insert "five."

5. Page 5, section 13, line 3, strike out "three," and insert "five"; and in line 6, strike out "three," and insert "five."

6. Page 5, section 13, strike out first line, and "is subscribed" in 2d line, and insert: "As soon as fifty per cent. of the capital stock is subscribed, and ten per cent. of the capital stock is paid."

7. Page 5, section 13, line 3, strike out "many," and insert: "shall so certify in writing to the Secretary of State, and thereupon shall."

8. Page 5, section 13, at the end of section add: "and the incorporators of the company shall be liable to any person affected thereby, to the amount of any deficiency in the actual payment of said ten per cent. at the time of so certifying, and shall furthermore be personally liable with the company for all debts and expenses that may accrue until the expiration of six months after the first election of directors."

9. Page 5, section 14, line 5, strike out "after the first election of directors."

10. Page 5, strike out section 15.

11. Page 6, section 18, line 5, after "directors," insert: "and all the executive officers;" and add to section 18: "and no person shall be appointed or act as a receiver of any railroad or other corporation within this State, unless he be a resident citizen of this State."

12. Page 8, section 26, at end of first line, insert "one-half of," and after the word "stock," in second line, insert: "actually subscribed and paid"; and strike out of the section all following the word "both," on first line of ninth page.

13. Page 9, strike out all of section 26 of chapter 1.

14. Page 9, section 27, line 3, strike out "or," and insert "of"; and after words "the company," insert: "actually paid."

15. Page 9, in line 3, section 27 of chapter 1, after the word "company," insert: "actually paid."

16. Page 9, in section 27 of chapter 1, after the word "money," in line 4, insert: "not exceeding one-half of the capital stock actually paid in;" and after the word "security," in same line of said section, insert: "by way of mortgage, or otherwise."

17. Page 9, section 28, line 1, after "corporation," insert: "which may be hereafter formed, and such stockholders as are now liable under former statutes."

18. Page 9, section 29, strike out all after the word "another" in line 5.

19. Page 9, strike out section 30.

20. Page 10, section 32, strike out the section and insert: "A creditor or creditors may enforce such liability by action jointly against all the holders or owners of stock, which action shall be for the benefit of all the creditors of the corporation, and against all persons liable as stockholders, and no person who has in good faith transferred or sold his stock before the action was instituted, shall be liable as a stockholder, and in any action there shall, without cost to any stockholder, be found and determined the amount by each stockholder payable on indebtedness of the corporation."

21. Page 10, strike out section 33.

22. Page 10, in section 33, of chapter 1, strike out "unless their rights are otherwise fixed in a written contract between them."

23. Page 10, section 35, line 1, after "profit," insert: "after its original capital stock is fully paid up."

24. Page 12, chapter 1, section 40 (new section). "A foreign corporation doing business in this state shall file with the secretary of state a certified copy of its articles of incorporation; a statement of the amount of its capital stock; a list of the stockholders, and the amount of stock held by each; and thereafter such corporation shall be entitled to all the privileges and immunities of a body corporation in this state, subject, however, to all the liabilities imposed upon similar corporations created under the laws of this state."

25. Page 15, chapter 2, section 1, line 4, strike out "and"; and after "depots", insert: "round-houses, machine shops, water-tanks, telegraph lines, and other necessary appliances."

26. Page 21, section 16, strike out in last line, "by any incorporated bridge company."

27. Page 21, section 17, line 4, after "stock," insert: "actually subscribed."

28. Page 22, section 18, line 8, after the word "exceed," insert: "two-thirds of"; and after the word "company," at the end of section, add: "actually subscribed."

29. Page 23, section 21, line 11, after "discount", insert: "without fraud."

30. Page 24, section 25, line 2, after "stock," insert "holders."

31. Page 32, section 45, first line on the page, strike out all of the section after the word "same," and insert: "for three weeks in some newspaper printed and of general circulation in the county in which is the principal office of the company."

32. Page 32, in section 47, line 2, after the word "position," insert: "or perform official duties."

33. Page 34, section 51, line 4, after the word "trains," insert: "and at each arrival at a town or village containing over three thousand inhabitants"; and on same page, section 51, line 11, after "occurs," insert: "for benefit of general fund of county."

34. Page 47, section 84, line 2, strike out "and", and insert "or".

35. Page 51, strike out section 95, and insert the following: When any railroad is a trunk road, or in the nature of a trunk road, and at or near the same place connects with or is intersected by two or more other railroads tributary to or competing lines for business to or from such trunk road, or to or from points on or beyond the same, any company or person operating or using such trunk road shall transport passengers and freight going to or coming from such tributary or competing roads without making any discrimination in the charges therefor, directly or indirectly, for or against either of such roads; and the company or person owning or controlling any such trunk road shall not, by lease or otherwise, permit the same to be used or operated in any manner contrary to the foregoing provision."

36. Page 53, section 101 amended so as to read: "Such company may charge and receive for transportation of property, when the same is less than seven tons in weight, or, where the distance is thirty miles or under, such reasonable rate as may, from time to time, be fixed by such company or prescribed by law; but, until a tariff of specific rates is established by law for the transportation of property of such bulk that a quantity equal to the tonnage capacity of the car cannot be carried in it, such company may contract for space in the car sufficient to secure the safe transportation of such property, at a rate which shall not exceed five cents per ton per mile if such car were loaded to its tonnage capacity; and for the transportation of coal, pig-iron, limestone, iron ore, lumber, stone, oil, or other freights of like class, not more than two cents per ton per mile for a distance of fifty miles or under, and for any distance over fifty miles not more than one and one-half cents per ton per mile; and such corporation may charge on all freight a reasonable rate for loading and unloading, when the same is in fact done by such corporation, and may also make a reasonable charge for the detention of cars containing freight that are not unloaded by the consignee of such freight in a reasonable time after notice on such consignee of the arrival of such freight; and those rates shall be in force as to the amount of freight assessed at one rate upon the whole number of miles traveled, no matter whether the freight shall reach its destination on one continuous line or over two or more lines of railroad; and where it is carried over two or more lines of road, the owners of such lines respectively shall arrange between themselves the respective proportions of the whole amount so charged for such freight due to each."

37. Page 54, section 13, line 2, strike out "to any railroad not exceeding twelve miles in length," and add to the section: "provided that, such exemption shall not continue longer than five years."

38. Page 55, after section 104, add another, as follows:

SEC. 104 $\frac{1}{2}$. No railroad company or other corporation shall, by anything in this act, be relieved from any liability in actions now pending or causes of action heretofore accrued."

39. Page 70, section 140, strike out the section and insert: "Where, upon an unfinished road, a right of way, or any part thereof, remains for ten years unused for railway purposes, it shall be held forfeited, and shall revert to the owner of the land unless at least twenty miles of the road have been completed by the company during that period."

40. Page 70, section 141, line 3, add to the section: "provided, however, that no person shall act as such receiver unless he be a resident citizen of this State."

41. Page 76, section 160, in line 5, after the word "committed," insert: "or at the next stopping place of such train."

42. Page 95, section 10, line 10, strike out all the section after "toll."

43. Page 100, section 21—Transfer this section to criminal code. Line 3, after "fence," insert: "which has lawfully been;" and in lines 4 and 5, strike out "agreeably to any laws of this State."

44. Page 104, section 34, line 9, after "state," insert: "and of any stockholder."

45. Page 121, section 11—Transfer to criminal code.

46. Page 136, in section 11, strike out the words "a fractional part not exceeding one-half."

47. Page 137, section 11, strike out the words "but with the permission of the superintendent of insurance, it may re-insure the whole of such risk."

48. Page 137, section 12, add to subdivision 4, of said section, after the words "four per cent.," the following: "The same being the amount of debts of life-insurance companies by reason of their outstanding policies in gross."

49. Page 139, section 16, in last line of said section, after the word "four," insert the words "and one-half."

50. Page 139, section 17, in subdivision 5, strike out all after the word "losses," in second line of said subdivision, and add in lieu thereof the words "during the year."

51. Page 139, section 17, in subdivision 6, after the word "expenditures," insert the words "and disbursements."

52. Page 140, section 17, in subdivision 10, third line, after the word "four," insert the words "and one-half."

53. Page 140, section 17, in subdivision 14, strike out all after the word "year," in the eighth line.

54. Page 141, section 18, in last line, strike out the word "line," and insert the word "lien."

55. Page 143, section 22, strike out all after the word "state," in line nine.

56. Page 145, section 26, strike out all of line 6, and the words "for each policy," in line 7.

57. Page 151, section 43, strike out the word "his," at the end of line 14, and insert the word "their."

58. Page 164, section 21, line 2, strike out "marine;" in line 4, strike out "sixty," and insert "thirty;" and after "thereafter," insert: "to prepare."

59. Page 209, section 38, line 3, strike out "receive," and insert "have," and in lines 5 and 6, strike out the consecutive words "and which is not"; and insert "nor."

60. Page 209, section 38, line 7, strike out all of section after "person," and insert: "except the body of a person detained for debt or on suspicion of crime, or of a traveler or stranger dying suddenly otherwise than by suicide, or of one who, during life, has expressed his wishes for interment of his body after death, or of one whose relatives or friends desire his body for the purposes of interment, and the possession of the body of any deceased person for the above purposes, and not authorized under this section, shall be unlawful, and the detention of any body claimed by relatives or friends for interment shall also be unlawful."

61. Page 209, after section 38, insert a new section as follows:

SEC. 39. Any person, association, or company, having unlawful possession of the corpse of any deceased person, shall be jointly and severally liable with any and all other persons, associations, and companies that had or have had unlawful possession of such corpse in any sum not less than five hundred dollars and not more than five thousand dollars, to be recovered at the suit of the personal representative of the deceased in any court of competent jurisdiction, for the benefit of the next of kin of deceased."

LYMAN J. JACKSON,	J. R. JOHNSTON,
IRVINE DUNGAN,	G. M. SALTZGABER,
W. P. HOWLAND,	GEO. W. WILSON.

On motion of Mr. Curtiss, said report and amendments were laid on the table and ordered to be printed.

Mr. Dungan submitted the following report:

The joint committee on Enrollment has examined, and found correctly enrolled, the following joint resolution:

Substitute for H. J. R.'s Nos. 68, 73 and 84—As to amending the Constitution of the State of Ohio.

IRVINE DUNGAN,	A. D. MARSH,
R. G. RICHARDS,	C. R. HARMON,
C. F. KRIMMEL,	WM. JESSUP.
F. M. CARTER,	

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has adopted the following joint resolution, in which the concurrence of the Senate is requested:

H. J. R. No. 112—Mr. Hostetter—Requiring the Governor to make deed to John Ford for certain land.

Attest:

L. A. BRUNNER, *Clerk.*

On motion of Mr. Curtiss, said joint resolution was referred to the committee on Claims.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The Speaker of the House of Representatives has, in the presence of the House, signed the following joint resolution:

Substitute for H. J. R.'s Nos. 68, 73 and 84, by Judiciary committee—
Relating to amendments to the Constitution of the State of Ohio.

Attest:

L. A. BRUNNER, *Clerk*.

The President, in presence of the Senate, signed said joint resolution.

Mr. Krimmel submitted the following report:

The joint committee on Enrollment has examined, and found correctly enrolled, the following bills and joint resolution:

H. B. No. 824—To amend section nineteen of the act entitled an act for the incorporation of townships, passed March 14, 1853, (51. Vol. Statutes, 489.)

H. B. No. 832—To authorize the Commissioners of Fayette county to refund and pay to Evans James certain moneys wrongfully assessed against him.

H. J. R. No. 113—As to numbering the sections of the revised and consolidated laws, consecutively.

C. F. KRIMMEL,
A. D. MARSH,
DUNCAN DOW,
F. M. CARTER,

C. R. HARMON,
E. S. PERKINS,
J. R. JOHNSTON.

On motion of Mr. Lord, the Senate adjourned.

Attest:

ALLEN O. MYERS, *Clerk*.

MONDAY, April 14, 1879—10 o'clock A.M.

The Senate met pursuant to adjournment.

The Journal was read and approved.

On demand of Mr. Tyler, a call of the Senate was had.

Twenty-one Senators answered to their names.

Messrs. Beebe, Beer, Carson, Curtiss, Grove, Jackson of Clinton, Jackson of Perry, Johnston, Kelley, Lord, Marsh, Saltzgaber, Sherrick and Stokes were absent.

Mr. Benson moved that further proceedings under the call be dispensed with.

Which was agreed to.

Mr. Dungan submitted the following report:

The joint committee on Enrollment has examined, and found correctly enrolled, the following bills:

H. B. No. 936—To authorize a certain improvement in the village of Napoleon.

H. B. No. 937—For the relief of Joseph Stofer.

H. B. No. 686—Relating to surveys authorized by the Congress of the United States in the State of Ohio.

IRVINE DUNGAN,
C. F. KRIMMEL,
C. R. HARMON,
F. M. CARTER,
A. D. MARSH,

WM. JESSUP,
E. S. PERKINS,
J. R. JOHNSTON,
R. G. RICHARDS.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The Speaker of the House of Representatives has, in the presence of the House, signed the following bills and joint resolution:

H. B. No. 710—Mr. Eylar—To amend an act supplementary to an act entitled an act for the reorganization and maintenance of common schools, passed May 1, 1873, and revised May, 1875.

H. B. No. 706—Mr. Townsend—Supplementary to an act entitled an act for the reorganization and maintenance of common schools, passed May 1, 1873, (Sayler's Statutes, p. 3028), and to extend the time for lessees of section sixteen to comply with sections one hundred and forty-three and one hundred and forty-four of said act, who have complied with all provisions of said act except said sections.

H. B. No. 824—Mr. Foster—To amend section nineteen of the act entitled an act for the incorporation of townships, passed March 14, 1853, (51 Vol. Stat., 489.)

H. J. R. No. 113—Mr. Meuser—As to numbering the sections of the revised and consolidated laws, consecutively.

Attest:

L. A. BRUNNER, *Clerk*.

The President *pro tem.*, in presence of the Senate, signed said bills and joint resolution.

Mr. Steedman, on leave, introduced the following bill, which was read the first time:

S. B. No. 344 - Authorizing courts to correct errors in tax and assessment proceedings.

Mr. Fisher submitted the following report:

The committee on Revision has examined, and found correctly engrossed, H. B. No. 843.

J. C. FISHER,
G. W. WILSON.

On motion of Mr. Dungan, the Senate took a recess until 2 o'clock P.M.

TWO O'CLOCK P.M.

Mr. Johnston moved to take from the table S. B. No. 271 and pending amendments.

Which was agreed to.

The question being on agreeing to the amendments reported by the committee—

Mr. Johnston moved that the Senate resolve itself into committee of the Whole, for the consideration of said S. B. No. 271 and pending amendments.

Which was agreed to, and the Senate went into committee of the Whole, for said purpose, and after some time spent therein, arose, reported progress, and asked leave to sit again.

Which was granted.

Mr. Carson submitted the following report:

The standing committee on Common Schools and School Lands, to whom was referred H. B. No. 943—To authorize the Board of Education of the village of Millersburg to borrow money and levy a tax to pay in-

debtedness and repair a school-house—having had the same under consideration, report it back, and recommend its passage.

J. M. CARSON,	D. WAGENER,
R. G. RICHARDS,	H. C. LORD,
THOS. M. BEER,	G. A. GROVE.

Said bill was ordered to be engrossed and read the third time now, and was then read.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 27, nays none, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Carson, Curtiss, Dungan, Fisher, Grove, Howland, Irvine, Jackson of Perry, Johnston, Joy, Kelley, Krimmel, Lord, McDonald, Owens, Richards, Sabine, Steedman, Stokes, Tyler, Wagener and Williams—27.

So the bill passed. The title was agreed to.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The Speaker of the House of Representatives has, in the presence of the House, signed the following bills:

H. B. No. 832—Mr. Quinby—To authorize the Commissioners of Fayette county to refund and pay to Evans James certain moneys wrongfully assessed against him.

H. B. No. 755—Mr. Greene—To provide for indexing the land records of Greene county.

H. B. No. 892—Mr. Alexander—Making appropriations to pay interest on the public debt and the expenses of the Sinking Fund Commissioners.

H. B. No. 893—Mr. Alexander—Making appropriations for the support of the common schools.

H. B. No. 935—Mr. Hitchcock To authorize the purchase and sale of certain buildings and land in Hampden, Geauga county.

H. B. No. 937—Mr. Bull—For the relief of Joseph Stofer.

H. B. No. 936—Mr. Groschner—To authorize a certain improvement in the village of Napoleon.

H. B. No. 686—Mr. Haley—Relating to surveys authorized by the Congress of the United States in the State of Ohio.

Attest:

L. A. BRUNNER, *Clerk.*

The President *pro tem.*, in presence of the Senate, signed said bills.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has concurred in the passage of the following bill:

S. B. No. 343—Mr. Jackson of Perry—Relating to certain proposed amendments to the Constitution, and the publication thereof—with the following amendments, in which the concurrence of the Senate is requested:

Strike out all after "1876," in line 3, section 5, and insert the following: "Shall be printed in type not smaller than nonpareil, said charges to be uniform, and the cost thereof shall be paid out of the state treasury, from

Monday, April 14, 1879.

any money not otherwise appropriated, upon the warrant of the auditor of state, upon vouchers approved by the supervisor of public printing, who shall make strict legal measurement of the matter published."

Attest:

L. A. BRUNNER, *Clerk*.

The question being on concurring in said House amendments, the yeas and nays were taken, and resulted—yeas 25, nays 1, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Curtiss, Dungan, Fisher, Forrest, Grove, Howland, Irvine, Jackson of Perry, Johnston, Kelley, McDonald, Owens, Parker, Richards, Sabine, Steedman, Stokes, Tyler, Wagener and Williams—25.

Mr. Saltzgaber voted in the negative.

So the Senate concurred in said House amendments.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has adopted the following joint resolution, in which the concurrence of the Senate is requested:

H. J. R. No. 110 – Mr. Eylar—Providing for the printing and binding of 600 extra copies of the Adjutant-general's report for the year 1878.

Attest:

L. A. BRUNNER, *Clerk*.

On motion of Mr. Curtiss, said joint resolution was referred to the committee on Public Printing.

MESSAGE FROM THE GOVERNOR.

THE STATE OF OHIO, EXECUTIVE DEPARTMENT,

COLUMBUS, 12th day of April, 1879.

To the Senate:

I have the honor to nominate, and by and with the advice and consent of the Senate, appoint Dr. Charles S. Muscroft, Sr., of Cincinnati, Hamilton county, Ohio, to be a Director of Longview Asylum, for the period of five years, from April 5, 1879, vice John C. Morris.

Very respectfully,

RICHARD M. BISHOP.

On motion of Mr. Johnston, said communication was referred to the committee on Benevolent Institutions.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has refused to agree to the report of the Conference committee on

S. J. R. No. 55 Mr. Dungan – Relating to the fees of county officers.

Attest:

L. A. BRUNNER, *Clerk*.

On motion of Mr. Johnston, the Senate adjourned.

Attest:

ALLEN O. MYERS, *Clerk*.

TUESDAY, *April* 15, 1879—10 O'CLOCK A.M.

The Senate met pursuant to adjournment.

The Journal was read and approved.

Mr. Beer presented the petition of Miss Flora Luce and 723 other ladies of Ashland county, in favor of local option.

Which was referred to the committee on Sanitary Laws and Regulations.

Mr. Beer presented the petition of H. F. Vantilberg and 369 other voters of Ashland county, praying for a local option law.

Which was referred to the committee on Sanitary Laws and Regulations.

The following bill was read the second time, and referred to the committee on Municipal Corporations:

S. B. No. 344 Mr. Steedman—Authorizing courts to correct errors in tax and assessment proceedings.

H. B. No. 665—Mr. Sextro—To amend section forty-three, chapter four, division seven of an act entitled an act to amend, revise and consolidate the statutes relating to municipal corporations, to be known as title twelve, part one of the act to revise and consolidate the general statutes of Ohio, passed May 14, 1878, (75 Laws, 322)—was read the third time.

On motion of Mr. Johnston, said bill was laid on the table.

H. B. No. 777—Mr. Wales—To authorize the Council of the village of Franklin, in Warren county, Ohio, to borrow money and issue bonds for the purpose of repairing, building, and furnishing the town-hall building in said village—was read the third time.

Mr. Stokes moved to refer the bill to a select committee of one, with instructions to amend as follows:

In section 1, line 4, strike out "forty-five hundred", and insert "five thousand."

Which was agreed to, and Mr. Stokes was appointed such committee, and reported the bill back amended as instructed.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 29, nays none, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carson, Curtiss, Dungan, Fisher, Forrest, Grove, Howland, Jackson of Clinton, Jackson of Perry, Johnston, Joy, Kelley, Lord, Marsh, McDonald, Parker, Richards, Sabine, Seitz, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—29.

So the bill passed. The title was agreed to.

Mr. Marsh moved to take from the table H. B. No. 665.

Which was agreed to.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 5, nays 12, as follow:

Those who voted in the affirmative were—

Messrs. Jackson of Clinton, Jackson of Perry, Marsh, Steedman and Tyler—5.

Those who voted in the negative were—

Messrs. Armstrong, Benson, Carson, Fisher, Forrest, Johnston, Lord, McDonald, Sabine, Saltzgaber, Seitz and Wagener—12.

So the bill, having failed to receive a constitutional majority, was lost.

H. B. No. 817—Mr. Levering—To amend section one of an act relating to incorporated villages, which by the federal census of 1870 had, and

which by any subsequent federal census may have a population of one thousand and eighty-seven, passed and took effect April 16, 1878, (O. L., Vol. 75, pp. 110-111)—was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 23, nays 6, as follow :

Those who voted in the affirmative were—

Messrs. Beebe, Beer, Benson, Carlisle, Carson, Curtiss, Dungan, Fisher, Grove, Irvine, Jackson of Clinton, Jackson of Perry, Joy, Kelley, Lord, McDonald, Owens, Parker, Sabine, Stokes, Tyler, Wagener and Williams—23.

Those who voted in the negative were—

Messrs. Armstrong, Forrest, Johnston, Seitz, Steedman and Wilson—6.

So the bill passed. The title was agreed to.

H. B. No. 945—Mr. Turner—To authorize the incorporation of free avenue companies—was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 24, nays 2, as follow :

Those who voted in the affirmative were—

Messrs. Benson, Carlisle, Carson, Curtiss, Fisher, Grove, Howland, Jackson of Clinton, Johnston, Joy, Kelley, Lord, Marsh, McDonald, Owens, Parker, Richards, Sabine, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—24.

Messrs. Forrest and Jackson of Perry voted in the negative.

So the bill passed. The title was agreed to.

H. B. No. 828 - Mr. Quinn—To authorize the Council of the incorporated village of Mt. Sterling, Madison county, Ohio, to transfer money from the sewer fund to the sinking fund—was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 28, nays none, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Curtiss, Fisher, Grove, Howland, Jackson of Clinton, Johnston, Joy, Kelley, Lord, Marsh, McDonald, Owens, Parker, Richards, Sabine, Saltzgaber, Seitz, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—28.

So the bill passed. The title was agreed to.

H. B. No. 843—Mr. Harmon To authorize the Trustees of Hiram township, Portage county, to build a vault and provide means for the payment of the same—was read the third time.

Mr. Wilson moved to refer the bill to a select committee of one, with instructions to amend as follows:

Between the words "tax" and "to," in line 3, section 1, insert: "upon all the taxable property in said township."

Which was agreed to, and Mr. Wilson was appointed such committee, and reported the bill back amended as instructed.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 26, nays 1, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Carson, Curtiss, Fisher, Grove, Irvine, Jackson of Clinton, Jackson of Perry, Johnston, Joy, Kelley, Lord, McDonald, Owens, Parker, Richards, Sabine, Steedman, Stokes, Tyler, Wagener and Wilson—26.

Mr. Seitz voted in the negative.

So the bill passed. The title was agreed to.

Messrs. Richards and Marsh asked and obtained leave to have their votes recorded on H. B. No. 817, and their names being called, they voted "no."

S. B. No. 338—Mr. Beer—To authorize the Council of the incorporated village of Ashland, Ashland county, Ohio, to make a contract with the Ashland Gas Works for lighting streets, alleys and public buildings for a period not exceeding five years, and to levy taxes to pay the cost as it becomes due by the terms of said contract—was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 29, nays none, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Curtiss, Fisher, Grove, Howland, Jackson of Clinton, Jackson of Perry, Johnston, Joy, Kelley, Lord, Marsh, McDonald, Owens, Parker, Richards, Sabine, Saltzgaber, Seitz, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—29.

So the bill passed. The title was agreed to.

S. B. No. 337—Mr. Owens—To authorize and empower the Council of the incorporated village of Ostrander, in Delaware county, Ohio, to transfer certain money from the general fund to the special street fund for the improvement of Main street in said village—was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 29, nays none, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Carlisle, Carson, Curtiss, Dungan, Fisher, Grove, Howland, Irvine, Jackson of Clinton, Jackson of Perry, Johnston, Joy, Kelley, Lord, Marsh, McDonald, Owens, Parker, Richards, Sabine, Seitz, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—29.

So the bill passed. The title was agreed to.

S. B. No. 328—Mr. Curtiss—To amend section two, chapter four, page four hundred and sixty-seven of the act to revise and consolidate the statutes of Ohio was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted yeas 28, nays none, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Carlisle, Carson, Curtiss, Dungan, Fisher, Forrest, Grove, Howland, Irvine, Jackson of Clinton, Jackson of Perry, Johnston, Joy, Kelley, Marsh, McDonald, Owens, Richards, Sabine, Saltzgaber, Seitz, Steedman, Stokes, Tyler, Wagener and Wilson—28.

So the bill passed. The title was agreed to.

S. B. No. 341—Mr. Johnston—To authorize the Council of the village of Canfield, Mahoning county, Ohio, to levy a tax for the construction and repair of sidewalks—was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 27, nays none, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Carlisle, Carson, Curtiss, Dungan, Fisher, Forrest, Grove, Howland, Irvine, Jackson of Clinton, Jackson of Perry, Johnston, Joy, Kelley, Marsh, Owens, Parker, Richards, Sabine, Seitz, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—27.

So the bill passed. The title was agreed to.

Mr. Carson moved that the vote whereby H. B. No. 817 was passed be reconsidered.

Mr. Steedman moved to lay said motion on the table.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 13, nays 14, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Carson, Forrest, Grove, Lord, Owens, Parker, Richards, Sabine, Seitz, Steedman, Tyler and Williams—13.

Those who voted in the negative were—

Messrs. Beer, Carlisle, Curtiss, Dungan, Fisher, Howland, Irvine, Jackson of Clinton, Joy, Kelley, Marsh, Saltzgaber, Stokes and Wilson—14.

So the motion to lay on the table was disagreed to.

The question recurring on Mr. Carson's motion to reconsider, the yeas and nays were demanded, taken, and resulted—yeas 11, nays 21, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Dungan, Fisher, Forrest, Howland, Kelley, Richards Saltzgaber, Seitz, Steedman and Wilson—11.

Those who voted in the negative were—

Messrs. Beebe, Beer, Benson, Carlisle, Carson, Curtiss, Grove, Jackson of Clinton, Jackson of Perry, Johnston, Joy, Lord, Marsh, McDonald, Owens, Parker, Sabine, Stokes, Tyler, Wagener and Williams—21.

So the motion to reconsider was disagreed to.

Mr. Joy moved that H. B. No. 131 be taken from the table.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 21, nays 10, as follow :

Those who voted in the affirmative were—

Messrs. Beebe, Beer, Benson, Carlisle, Curtiss, Dungan, Fisher, Howland, Irvine, Jackson of Perry, Johnston, Joy, Kelley, Lord, Owens, Richards, Sabine, Steedman, Tyler, Wagener and Wilson 21.

Those who voted in the negative were—

Messrs. Carson, Forrest, Grove, Jackson of Clinton, Marsh, McDonald, Parker, Saltzgaber, Seitz and Williams—10.

So the motion was agreed to.

Mr. Owens moved to refer the bill to a select committee of one, with instructions to amend as follows :

In section 1, line 6, between the word "dollars" and the word "to," insert the words "to be paid."

Which was agreed to, and Mr. Owens was appointed such committee, and reported the bill back amended as instructed.

Mr. Saltzgaber moved to refer the bill to a select committee of one, with instructions to amend as follows :

By striking out of line 4 "general revenue," and insert after "fund": "appropriated to pay the *per diem* and mileage of members of the General Assembly"; and insert at the end of section 1: "and said sum shall be deducted from the *per diem* of members of the General Assembly in a ratable proportion."

Mr. Wilson raised the point of order, that said proposed amendment was not germane to the subject-matter of the bill, and therefore out of order.

The President declared the point of order well taken, and that the proposed amendment was out of order.

Mr. Forrest appealed from said decision of the President.

The question being "Shall the decision of the President stand as the sense of the Senate?" the yeas and nays were demanded, taken, and resulted—yeas 21, nays 7, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Curtiss, Grove, Irvine,

Jackson of Perry, Johnston, Joy, Kelley, Lord, Marsh, Owens, Richards, Sabine, Steedman, Tyler, Wagener and Wilson—21.

Those who voted in the negative were—

Messrs. Carson, Fisher, Forrest, Parker, Saltzgaber, Seitz and Stokes 7.

So the decision of the President was sustained.

On motion of Mr. Joy, the Senate took a recess.

THREE O'CLOCK P.M.

When the Senate took a recess, it had under consideration H. B. No. 131, the pending question being on its passage.

Mr. Owens moved that the bill be laid on the table.

Which was agreed to.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bill, in which the concurrence of the Senate is requested:

H. B. No. 838—Mr. Marsh—To change the time for holding the second term of the Court of Common Pleas in the county of Mercer, for the year 1879.

Attest:

L. A. BRUNNER, *Clerk.*

Said bill was read the first time.

On demand of Mr. Steedman, a call of the Senate was had.

Twenty-nine Senators answered to their names.

Messrs. Benson, Dungan, Krimmel, Sherrick, Tyler and Wagener were absent.

On motion of Mr. Steedman, further proceedings under the call were dispensed with.

Mr. Saltzgaber moved that the constitutional rule, requiring bills to be read on three different days, be suspended, that H. B. No. 838 may be read the second time.

On which motion the yeas and nays were taken, and resulted—yeas 31, nays none, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Curtiss, Fisher, Forrest, Grove, Howland, Irvine, Jackson of Clinton, Jackson of Perry, Johnston, Joy, Kelley, Lord, Marsh, McDonald, Owens, Parker, Richards, Sabine, Saltzgaber, Seitz, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—31.

So the motion was agreed to, and the bill was read the second time.

Mr. Steedman moved that the constitutional rule, requiring bills to be read on three different days, be suspended, that H. B. No. 838 may be read the third time.

On which motion the yeas and nays were taken, and resulted—yeas 30, nays none, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Curtiss, Fisher, Forrest, Grove, Howland, Irvine, Jackson of Clinton, Jackson of Perry, Johnston, Joy, Kelley, Marsh, McDonald, Owens, Parker, Richards, Sabine,

Saltzgaber, Seitz, Steedman, Stokes, Tyler, Wagener Williams and Wilson—30.

So the motion was agreed to, and the said bill was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 30, nays none, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Curtiss, Fisher, Forrest, Grove, Howland, Irvine, Jackson of Clinton, Johnston, Joy, Kelley, Lord, Marsh, McDonald, Owens, Parker, Richards, Sabine, Saltzgaber, Seitz, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—30.

So the bill passed. The title was agreed to.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The House of Representatives has passed the following bills, in which the concurrence of the Senate is requested :

Substitute for H. B. No. 811—Mr. Elliott—To authorize the Council of the city of Delaware to issue bonds for the purpose of purchasing a site and erecting thereon a public hall, to be used for public offices and such other public purposes as the Council may authorize.

H. B. No. 881—Mr. Sawyer—Making an appropriation to erect a certain building at the Soldiers' and Sailors' Orphans' Home.

Attest :

L. A. BRUNNER, *Clerk.*

Said bills were read the first time.

Mr. Armstrong moved that the constitutional rule, requiring bills to be read on three different days, be suspended, that H. B. No. 881 may be read the second time.

On which motion the yeas and nays were taken, and resulted—yeas 28, nays 1, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Carson, Curtiss, Forrest, Grove, Howland, Irvine, Jackson of Clinton, Jackson of Perry, Joy, Kelley, Lord, Marsh, McDonald, Owens, Richards, Sabine, Saltzgaber, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—28.

Mr. Seitz voted in the negative.

So the motion was agreed to, and the bill was read the second time.

Mr. Armstrong moved that the constitutional rule, requiring bills to be read on three different days, be suspended, that H. B. No. 881 may be read the third time.

On which motion the yeas and nays were taken, and resulted—yeas 27, nays none, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Carlisle, Carson, Curtiss, Forrest, Howland, Irvine, Jackson of Clinton, Jackson of Perry, Johnston, Joy, Lord, Marsh, McDonald, Owens, Parker, Richards, Sabine, Saltzgaber, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—27.

So the motion was agreed to, and the bill was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 26, nays 1, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Curtiss, Fisher, For-

rest, Grove, Howland, Irvine, Jackson of Clinton, Johnston, Joy, Kelley, Lord, Owens, Richards, Sabine, Saltzgaber, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—26.

Mr. Seitz voted in the negative.

So the bill passed. The title was agreed to.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The following bills have been introduced in the House of Representatives, and read the first time :

H. B. No. 969—Mr. Parker—To amend sections three, six and twelve of an act entitled an act to consolidate, revise and amend the statutes relating to jails and the Penitentiary, to be known as part two, title three, jails and the Penitentiary, passed May 5, 1877, (Vol. 74), and amended February 27, 1878.

H. B. No. 970—Mr. White—To authorize and empower the Commissioners of Franklin county to construct a bridge across the Scioto river.

H. B. No. 971—Mr. Luccock To authorize the Trustees of Spencer township, Guernsey county, to transfer certain funds therein named.

H. B. No. 972—Mr. Stubbs — To divide Harrison township, Preble county, into two election precincts.

H. B. No. 973—Mr. Baker—To authorize the creation of a special school district, composed of parts of Monroe and Bath townships, Allen county, Ohio.

H. B. No. 974—Mr. Hardy of Defiance —To authorize County Commissioners to allow compensation to witnesses in certain cases.

H. B. No. 975---Mr. Eylar—To provide for the indexing of judicial records.

H. B. No. 976—Mr. Jessup—To authorize the village Council of Cleves, Hamilton county, to transfer certain funds.

H. B. No. 977—Mr. Eylar—For the relief of John M. Tyre, a teacher in the Manchester public school.

H. B. No. 978—Mr. Greene—Relating to the improvement of City Hall at Xenia, Greene county, Ohio.

H. B. No. 979—Mr. Oglevee—To amend section one hundred and ninety-eight, of chapter two of an act entitled an act to revise and consolidate the laws relating to procedure in Probate Courts, (O. L., Vol 75, p. 899.)

H. B. No. 980—Mr. Bohl—For the better regulation of foreign life-insurance companies, and life-insurance companies organized under the laws of any other State of the United States, and doing business within this State.

H. B. No. 981—Mr. Eylar—To reduce the fees and salaries of county officers in certain counties.

Attest :

L. A. BRUNNER, *Clerk.*

Mr. Fisher submitted the following report :

The committee on Revision has examined, and found correctly engrossed, H. B. No. 843.

J. C. FISHER,
J. M. CARSON,
G. W. WILSON.

Mr. Carlisle submitted the following report :

The committee on Roads and Highways, to whom was referred S. B. No. 336 - To amend section thirteen of an act entitled an act relating to roads and highways, passed March 9, 1868, as amended March 4, 1878—having had the same under consideration, report it back, and recommend its passage.

B. W. CARLISLE,	THOS. S. JACKSON,
JOHN H. BENSON,	LINDSEY KELLEY,
J. B. WILLIAMS,	J. C. McDONALD.

Said bill was ordered to be engrossed and read the third time to-morrow.

Mr. Wagener presented the petition of Otto Holloway and 115 other citizens of Belmont county, asking the repeal of a certain act of April 12, 1877, creating two separate election precincts in Flushing township, in said county.

Which was referred to the committee on Privileges and Elections.

Mr. Wagener, on leave, introduced the following bill, which was read the first time :

S. B. No. 345 To repeal a certain act therein named.

Mr. Carson offered the following joint resolution :

S. J. R. No. 87: *Resolved*, That a committee of two on the part of the Senate, and — on the part of the House, be appointed to take into consideration the amount of business on hand and necessary to be finished at this session, and report a probable date at which this General Assembly can complete its labors and adjourn.

The question being on the adoption of the joint resolution, the yeas and nays were taken, and resulted—yeas 7, nays 19, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Carlisle, Carson, Fisher, Parker, Seitz and Stokes—7.

Those who voted in the negative were—

Messrs. Beebe, Beer, Benson, Curtiss, Grove, Howland, Irvine, Jackson of Perry, Johnston, Joy, Kelley, Lord, Marsh, Owens, Richards, Saltzgaber, Steedman, Williams and Wilson—19.

So said joint resolution was disagreed to.

Mr. Saltzgaber moved that the rules be suspended as to the regular order of business, that the Senate may go into committee of the Whole, for the consideration of S. B. No 271.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 16, nays 13, as follow :

Those who voted in the affirmative were—

Messrs. Beebe, Benson, Fisher, Forrest, Grove, Jackson of Perry, Johnston, Joy, Marsh, McDonald, Parker, Saltzgaber, Seitz, Steedman, Stokes and Wilson—16.

Those who voted in the negative were—

Messrs. Armstrong, Carlisle, Carson, Curtiss, Howland, Irvine, Jackson of Clinton, Kelley, Lord, Owens, Richards, Sabine and Wagener—13.

So the motion was disagreed to.

Mr. Marsh submitted the following report :

The standing committee on Municipal Corporations, to whom was referred H. B. No. 819—Relating to incorporated villages which, by the federal census of 1870 had, and which, by any subsequent federal census, may have a population of two thousand eight hundred and eighteen

(2,818)—having had the same under consideration, report it back without recommendation.

THEO. MARSH,	JAMES B. STEEDMAN,
G. A. GROVE,	R. G. RICHARDS.

Said bill was ordered to be engrossed and read the third time to-morrow.

Mr. Kelley, on leave, introduced the following bill, which was read the first time:

S. B. No. 346—To preserve the purity of elections.

Mr. Carlisle moved that a message be sent to the House, requesting a certified copy of H. B. No. 875, the original of which was lost by the committee on Reform School.

Which was agreed to.

Mr. Armstrong submitted the following report:

The standing committee on Claims, to whom was referred H. J. R. No. 112 Requiring the Governor to make a deed to John Ford for certain lands—having had the same under consideration, report it back, and recommend its adoption.

J. M. ARMSTRONG,	JOHN C. McDONALD,
D. D. BEEBE,	H. SABINE,
C. S. PARKER,	G. A. GROVE.

Said joint resolution was ordered to be placed on the calendar for adoption on Saturday next.

Mr. Steedman moved that a message be sent to the House, requesting a certified copy of H. B. No. 747, the original of which was lost by the committee on Public Works.

Which was agreed to.

On motion of Mr. Richards, the Senate went into committee of the Whole, for the consideration of S. B. No. 271, and after some time spent therein, arose, reported progress, and asked leave to sit again.

Which was granted.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bills, in which the concurrence of the Senate is requested:

H. B. No. 643—Mr. Groschner—Revising the statutes relating to the Legislative Department.

H. B. No. 964—Mr. Reed of Ross—To amend the act of May 11, 1878, entitled an act to amend and revise the statutes relating to taxation, to be known as title thirteen, part one of the act to revise and consolidate the general statutes, (Vol. 75, p. 436).

Attest:

L. A. BRUNNER, *Clerk.*

Said bills were read the first time.

Mr. Dungan submitted the following report:

The joint committee on Enrollment has examined, and found correctly enrolled, the following bills:

S. B. No. 343—An act relating to certain proposed amendments to the Constitution, and the publication thereof.

S. B. No. 241—To amend section six, chapter five, title two of an act

entitled an act to amend, revise and consolidate the statutes relating to criminal procedure, (O. L., Vol. 74, p. 340.)

IRVINE DUNGAN,	F. M. CARTER,
R. G. RICHARDS,	WM. JESSUP,
J. R. JOHNSTON,	C. R. HARMON.
E. S. PERKINS,	

Leave of absence was asked and obtained for Mr. Johnston until Monday next.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has concurred in Senate amendments to —

H. B. No. 843—Mr. Harmon—To authorize the Trustees of Hiram township, Portage county, to build a vault and provide means for the payment of the same.

Attest:

L. A. BRUNNER, *Clerk.*

On motion of Mr. Curtiss, the Senate adjourned.

Attest:

ALLEN O. MYERS, *Clerk.*

WEDNESDAY, April 16, 1879—10 o'clock A.M.

The Senate met pursuant to adjournment.

The Journal was read and approved.

Bills were read the second time and referred, as follows:

Substitute for H. B. No. 811—Mr. Elliott—To authorize the Council of the city of Delaware to issue bonds for the purpose of purchasing a site and erecting thereon a public hall, to be used for public offices, and such other public purposes as the Council may authorize.

Committee on Municipal Corporations.

H. B. No. 643—Mr. Groschner—Revising the statutes relating to the legislative department.

Committee on the Judiciary.

H. B. No. 964—Mr. Reed of Ross—To amend the act of May 11, 1878, entitled an act to amend, revise and consolidate the statutes relating to taxation, to be known as title thirteen, part one of the act to revise and consolidate the general statutes, (Vol. 75, p. 436).

Committee on Finance.

S. B. No. 345—Mr. Wagener—To repeal a certain act therein named, (O. L., Vol. 74, p. 444).

Committee on Privileges and Elections.

S. B. No. 346—Mr. Kelley—To preserve the purity of elections.

Committee on Privileges and Elections.

H. B. No. 819 Mr. Dawson—Relating to incorporated villages which, by the federal census of 1870 had, and which by any subsequent federal census may have had a population of two thousand eight hundred and eighteen—was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 22, nays 6, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Carson, Curtiss, Dungan, Grove, Jackson of Clinton, Joy, Krimmel, Marsh, McDonald, Owens, Sabine, Sherrick, Steedman, Stokes, Tyler, Wagener and Williams—22.

Those who voted in the negative were—

Messrs. Forrest, Howland, Irvine, Richards, Seitz and Wilson—6.

So the bill passed. The title was agreed to.

Leave of absence was asked and obtained for Mr. Lord, on account of sickness.

S. B. No. 336—Mr. Jackson of Clinton—To amend section thirteen of an act entitled an act relating to roads and highways, passed March 9, 1868, as amended March 4, 1878—was read the third time.

The question being “Shall the bill pass?” the yeas and nays were taken, and resulted—yeas 29, nays none, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Carson, Curtiss, Dungan, Fisher, Grove, Howland, Irvine, Jackson of Clinton, Jackson of Perry, Joy, Krimmel, Marsh, McDonald, Owens, Richards, Sabine, Seitz, Sherrick, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—29.

So the bill passed. The title was agreed to.

Mr. Curtiss submitted the following report :

The Conference committee, to whom were referred the matters of difference between the Senate and House upon H. B. No. 699, have had the same under consideration, and report the bill back with the recommendation that the Senate recede from its amendment.

H. W. CURTISS,

JAS. B. STEEDMAN,

Committee on part of the Senate.

H. P. CLOUGH,

JOHN C. COVERT,

HENRY BOHL,

Committee on part of the House.

The question being on agreeing to said report of the Conference committee, the yeas and nays were taken, and resulted—yeas 18, nays 15, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Carlisle, Curtiss, Dungan, Forrest, Grove, Jackson of Perry, Joy, Krimmel, Lord, McDonald, Parker, Sherrick, Steedman, Stokes, Tyler, Wagener and Williams—18.

Those who voted in the negative were—

Messrs. Beebe, Beer, Benson, Carson, Fisher, Howland, Irvine, Jackson of Clinton, Marsh, Owens, Richards, Sabine, Saltzgaber, Seitz and Wilson—15.

So the report was agreed to.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The House of Representatives accedes to the request of the Senate, and herewith returns—

H. B. No. 875—Mr. Wales—Supplementary to an act entitled an act to

authorize County Commissioners in certain cases to accept devises and legacies, and to erect and maintain an Orphan Asylum in connection with a Children's Home, passed February 11, 1869.

Attest:

L. A. BRUNNER, *Clerk*.

On motion, said bill was referred to the committee on Reform Schools and Industrial School for Girls.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bills, in which the concurrence of the Senate is requested:

H. B. No. 450—Mr. Greene—For the improvement of public roads.

H. B. No. 942—Mr. Smead—To authorize the Council of the incorporated village of Madison, Lake county, to borrow money and issue bonds to construct a vault for the reception of the bodies of the dead.

Attest:

L. A. BRUNNER, *Clerk*.

Said bills were read the first time.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has concurred in Senate amendments to—

H. B. No. 777—Mr. Wales—To authorize the Council of the village of Franklin, in Warren county, Ohio, to borrow money and issue bonds for the purpose of repairing, building, and furnishing the town-hall building in said village.

Attest:

L. A. BRUNNER, *Clerk*.

Mr. Dungan submitted the following report:

The joint committee on Enrollment has examined, and found correctly enrolled, the following bill:

H. B. No. 943—To authorize the Board of Education of the village of Millersburg to borrow money and levy a tax to pay indebtedness and repair school-house.

IRVINE DUNGAN,	E. S. PERKINS,
C. F. KRIMMEL,	A. D. MARSH,
F. M. CARTER,	WM. JESSUP.
C. R. HARMON,	

On motion of Mr. Forrest, the Senate went into committee of the Whole, for the consideration of S. B. No. 271, and after some time spent therein, arose, reported progress, and asked leave to sit again.

Which was granted.

Leave of absence was granted the Sergeant-at-Arms for this afternoon. On motion of Mr. Carlisle, the Senate took a recess.

THREE O'CLOCK P.M.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The House of Representatives has passed the following bill, in which the concurrence of the Senate is requested:

H. B. No. 841—Mr. Cowgill—To provide a system for fixing the compensation and fees of county officers in certain cases.

Attest:

L. A. BRUNNER, *Clerk.*

Said bill was read the first time.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The House of Representatives accedes to the request of the Senate, and herewith returns—

H. B. No. 747—Mr. Hardy of Defiance—Authorizing the Board of Public Works to grant or lease the south bank of Six-mile Reservoir, in Paulding county, to the Paulding and Antwerp Railroad Company, for a road-bed, under certain restrictions.

Attest:

L. A. BRUNNER, *Clerk.*

On motion, said bill was referred to the committee on Public Works.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The Speaker of the House of Representatives has, in the presence of the House, signed the following bills:

S. B. No. 241—Mr. Tyler—To amend section six, chapter five, title two of an act entitled an act to amend, revise and consolidate the statutes relating to criminal procedure, (O. L., Vol. 74, p. 840.)

S. B. No. 343—Mr. Jackson of Perry—Relating to certain proposed amendments to the Constitution, and the publication thereof.

H. B. No. 943—Mr. Estill—To authorize the Board of Education of the village of Millersburg to borrow money and levy a tax to pay indebtedness, and repair school-house.

Attest:

L. A. BRUNNER, *Clerk.*

The President, in presence of the Senate, signed said bills.

Mr. Richards submitted the following report:

The joint committee on Enrollment has examined, and found correctly enrolled, the following bills:

H. B. No. 843 To authorize the Trustees of Hiram township, Portage county, to build a vault and provide means for the payment of the same.

H. B. No. 777—To authorize the Council of the village of Franklin, in Warren county, Ohio, to borrow money and issue bonds for the purpose of repairing, building, and furnishing the town-hall building in said village.

H. B. No. 838—To change the time for holding the second term of the Court of Common Pleas in the county of Mercer, for the year 1879.

C. F. KRIMMEL,	R. G. RICHARDS,
WM. JESSUP,	F. M. CARTER,
DUNCAN DOW,	E. S. PERKINS.
C. R. HARMON,	

On motion of Mr. Forrest, the Senate went into committee of the Whole, for the consideration of S. B. No. 271, and, after some time spent therein, arose, reported progress, and asked leave to sit again.

Which was granted.

Mr. Curtiss moved that the vote whereby H. B. No. 665 was lost be reconsidered.

Which was agreed to.

Mr. Parker, on leave, introduced the following bill, which was read the first time:

S. B. No. 347—To amend the act of May 14, 1878, entitled an act to amend, revise and consolidate the statutes relating to municipal corporations, to be known as title twelve, part one of the act to revise and consolidate the general statutes of Ohio, (75, O. L., 161.)

Mr. Dungan submitted the following report:

The joint committee on Enrollment has examined, and found correctly enrolled, the following bills:

H. B. No. 828 - To authorize the Council of the incorporated village of Mt. Sterling, Madison county, Ohio, to transfer money from the sewer fund to the sinking fund.

H. B. No. 945—To authorize the incorporation of free avenue companies.

H. B. No. 817—To amend section one of an act relating to incorporated villages which, by the federal census of 1870 had, and which by any subsequent federal census may have a population of one thousand and eighty-seven, passed and took effect April 16, 1878, (O. L., Vol. 75, pp. 110-111.)

H. B. No. 881 Making an appropriation to erect a certain building at the Soldiers' and Sailors' Orphans' Home.

IRVINE DUNGAN,	F. M. CARTER,
WM. JESSUP,	C. F. KRIMMEL,
A. D. MARSH,	C. R. HARMON,
J. W. WASHBURN,	DUNCAN DOW.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The Speaker of the House of Representatives has, in the presence of the House, signed the following bills:

H. B. No. 945—Mr. Turner—To authorize the incorporation of free avenue companies.

H. B. No. 838—Mr. Marsh To change the time for holding the second term of the Court of Common Pleas in the county of Mercer for the year 1879.

H. B. No. 843—Mr. Harmon—To authorize the Trustees of Hiram township, Portage county, to build a vault and provide means for the payment of the same.

H. B. No. 881—Mr Sawyer—Making an appropriation to erect a certain building at the Soldiers' and Sailors' Orphans' Home.

H. B. No. 828—Mr. Quinn—To authorize the Council of the incorporated village of Mt. Sterling, Madison county, Ohio, to transfer money from the sewer fund to the sinking fund.

H. B. No. 777—Mr. Wales—To authorize the Council of the village of Franklin, in Warren county, Ohio, to borrow money and issue bonds for the purpose of repairing, building, and furnishing the town-hall building in said village.

H. B. No. 817—Mr. Levering—To amend section one of an act relating to incorporated villages which, by the federal census of 1870 had, and which, by any subsequent federal census may have a population of one thousand and eighty-seven, passed and took effect April 16, 1878, (O. L., Vol. 75, pp. 110-111.)

Attest :

L. A. BRUNNER, *Clerk.*

The President, in presence of the Senate, signed said bills.

On motion of Mr. Tyler, the Senate adjourned.

Attest :

ALLEN O. MYERS, *Clerk.*

THURSDAY, April 17, 1879—10 'CLOCK A.M.

The Senate met pursuant to adjournment.

The Journal was read and approved.

Mr. Curtiss moved that a message be sent to the House requesting the return of H. B. No. 665.

Which was agreed to.

Bills were read the second time and referred, as follows :

H. B. No. 942—Mr. Smead—To authorize the Council of the incorporated village of Madison, Lake county, to borrow money and issue bonds to construct a vault for the reception of the bodies of the dead.

Committee on Finance.

H. B. No. 841—Mr. Cowgill - To provide a system for fixing the compensation and fees of county officers in certain cases.

Committee on the Judiciary.

H. B. No. 450—Mr. Greene—For the improvement of common roads.

Committee on Roads and Highways.

S. B. No. 347—Mr. Parker—To amend the act of May 14, 1878, entitled an act to amend, revise and consolidate the statutes relating to municipal corporations, to be known as title twelve, part one of the act to revise and consolidate the general statutes of Ohio, (75, O. L., 161).

Committee on Municipal Corporations.

Mr. Marsh submitted the following report :

The standing committee on Municipal Corporations, to whom was referred H. B. No 787 Revising and consolidating the statutes relating to township officers—having had the same under consideration, report it back, and recommend its passage.

THEO. MARSH,

G. W. WILSON,

G. A. GROVE,

G. M. SALTZGABER,

LYMAN J. JACKSON,

R. G. RICHARDS.

Said bill was ordered to be engrossed and read the third time now, and was then read.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 29, nays 1, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Benson, Carlisle, Curtiss, Dungan, Fisher, Forrest, Grove, Howland, Irvine, Jackson of Clinton, Jackson of Perry, Joy, Kelley, Lord, Marsh, McDonald, Owens, Parker, Richards, Sabine, Saltzgaber, Seitz, Steedman, Stokes, Tyler, Williams and Wilson—29.

Mr. Beer voted in the negative.

So the bill passed. The title was agreed to.

Mr. Forrest moved that the vote whereby H. B. No. 787 was passed be reconsidered.

On which motion the yeas and nays were taken, and resulted—yeas 29, nays none, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Curtiss, Dungan, Fisher, Forrest, Grove, Irvine, Jackson of Clinton, Jackson of Perry, Joy, Kelley, Lord, Marsh, McDonald, Owens, Parker, Sabine, Saltzgaber, Seitz, Sherrick, Steedman, Stokes, Tyler, Williams and Wilson—29.

So the motion was agreed to.

Mr. Curtiss moved that the bill be referred to the joint committee on Consolidated Laws.

Which was agreed to.

Leave of absence was asked and obtained for Mr. Krimmel for to-day, and for Mr. Wagener until Tuesday next.

Mr. Howland submitted the following report :

The committee of Conference, to whom were referred the matters of difference between the two Houses on H. B. No. 726, having had the same under consideration. recommend that the Senate recede from its amendment, striking out section 12, of chapter 1, and the House concur in the Senate amendment, striking out section 13, of said chapter.

W. P. HOWLAND,
G. M. SALTZGABER,
LYMAN J. JACKSON,

Committee on part of the Senate.

J. F. OGLEVEE,
J. W. WASHBURN,
J. J. SULLIVAN,

Committee on part of the House.

The question being on agreeing to the report of the Conference committee, the yeas and nays were taken, and resulted—yeas 27, nays 2, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Curtiss, Dungan, Fisher, Forrest, Grove, Howland, Jackson of Clinton, Jackson of Perry, Joy, Lord, Marsh, McDonald, Owens, Richards, Sabine, Saltzgaber, Sherrick, Steedman, Stokes, Tyler, Williams and Wilson—27.

Those who voted in the negative were—

Messrs. Parker and Seitz—2.

So the report of said Conference committee was agreed to.

Mr. Saltzgaber moved that the vote whereby H. B. No. 726 was passed be reconsidered.

Which was unanimously agreed to.

On motion of Mr. Fisher, the Senate took a recess until 2 o'clock P.M.

TWO O'CLOCK P.M.

Mr. Beer submitted the following report :

The standing committee on Finance, to whom was referred H. B. No. 801—To amend the act of March 12, 1831, entitled an act prescribing the duties of county treasurers, (29 Vol., 291 ; S. & C., 1584)—having had the same under consideration, report it back, and recommend its passage.

THOS. M. BEER, H. C. LORD,
H. W. CURTISS, J. C. FISHER.
JOHN SEITZ,

Said bill was ordered to be engrossed and read the third time to-morrow. On demand of Mr. Saltzgaber, a call of the Senate was had.

Eighteen Senators answered to their names.

Messrs. Beebe, Carlisle, Carson, Curtiss, Dungan, Forrest, Grove, Jackson of Perry, Marsh, McDonald, Sabine, Seitz, Sherrick and Steedman were absent.

On motion of Mr. Joy, further proceedings under the call were dispensed with.

Mr. Benson submitted the following report :

The standing committee on Drains and Water-courses, to whom was referred H. B. No. 564 An act to provide for the location, establishment, and construction of a new ditch in part, and for the alteration, changing, straightening, cleaning out, widening, deepening, extending, and otherwise improving certain ditches, drains and water-courses in the counties of Seneca and Sandusky, in the State of Ohio—having had the same under consideration, report it back, and recommend its passage.

JOHN H. BENSON, J. C. McDONALD,
THOS. S. JACKSON, JOHN IRVINE.
W. H. STOKES,

Said bill was ordered to be engrossed and read the third time on Saturday next.

Mr. Benson submitted the following report :

The standing committee on Drains and Water-courses, to whom was referred H. B. No. 812—To provide for the straightening, clearing out, widening, deepening and otherwise improving Mud creek and Greenville reek, also their tributaries, in Darke county, Ohio—having had the same under consideration, report it back, and recommend its passage.

J. H. BENSON, J. C. McDONALD,
T. S. JACKSON, JOHN IRVINE.
W. H. STOKES,

Said bill was ordered to be engrossed and read the third time on Saturday next.

On demand of Mr. Parker, a call of the Senate was had.

Twenty Senators answered to their names.

Messrs. Beebe, Carlisle, Carson, Dungan, Forrest, Jackson of Perry, Lord, Marsh, McDonald, Seitz, Sherrick and Steedman were absent.

Mr. Parker moved that the Sergeant-at-Arms be dispatched for absentees.

Which was agreed to.

Messrs. Sherrick and Dungan having appeared within the bar of the Senate, and answered to their names—

Mr. Benson moved that further proceedings under the call be dispensed with.

Which was disagreed to.

Messrs. Forrest and Beebe having appeared within the bar of the Senate, and answered to their names—

Mr. Parker moved that further proceedings under the call be dispensed with.

Which was disagreed to.

Messrs. Steedman and Lord having appeared within the bar of the Senate, and answered to their names—

Mr. Saltzgaber moved that further proceedings under the call be dispensed with.

Which was disagreed to.

Mr. Saltzgaber moved that the vote whereby the motion to dispense with further proceedings under the call was lost be reconsidered.

Which was disagreed to.

The Sergeant-at-Arms appeared at the bar of the Senate, and made the following report:

MR. PRESIDENT: In obedience to the order of the Senate, directing me to bring in absentees, I report that Senators Seitz, Marsh and Jackson of Perry, of said absentees, are now present in the Senate.

Mr. Forrest moved that further proceedings under the call be dispensed with.

Which was disagreed to.

Mr. Dungan moved that the Senate adjourn.

Which was disagreed to.

Mr. Sherrick moved that further proceedings under the call be dispensed with.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 12, nays 16, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Benson, Dungan, Fisher, Forrest, Grove, Irvine, Joy, Parker, Saltzgaber, Sherrick and Wilson—12.

Those who voted in the negative were—

Messrs. Beebe, Beer, Curtiss, Howland, Jackson of Clinton, Kelley, Lord, Marsh, Owens, Richards, Sabine, Seitz, Steedman, Stokes, Tyler and Williams—16.

So the motion was disagreed to.

Mr. Sherrick moved that the Senate adjourn.

Which was disagreed to.

Mr. Sherrick moved that further proceedings under the call be dispensed with.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 15, nays 13, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Benson, Dungan, Fisher, Forrest, Grove, Howland, Irvine, Jackson of Clinton, Marsh, Parker, Saltzgaber, Sherrick, Stokes and Wilson—15.

Those who voted in the negative were—

Messrs. Beebe, Beer, Curtiss, Joy, Kelley, Lord, Owens, Richards, Sabine, Seitz, Steedman, Tyler and Williams—13.

So the motion was agreed to.

On motion of Mr. Steedman, the Senate went into committee of the Whole, for the consideration of S. B. No. 271, and after some time spent therein, arose, reported the bill back, with the following amendments, recommending their adoption, and the passage of the bill when so amended:

Amendments Nos. 12, 22, 30, 32, 36, 41, 42 and 57, as reported from the Judiciary committee, were disagreed to.

Amendments Nos. 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 13, 14, 15, 16, 17, 18, 19, 20, 21, 23, 25, 26, 27, 28, 29, 31, 33, 34, 35, 38, 39, 40, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 59, 60 and 61, as reported from the Judiciary committee, were agreed to.

Amendments Nos. 1, 24, 37 and 58, as reported from the Judiciary committee, were amended to read as follows:

1. Page 3, section 4, line 1, insert at the beginning of the section: "except buying, holding or dealing in real estate."

24. Page 12, chapter 1, section 40 (new section). "A foreign corporation doing business in this state shall file annually with the secretary of state a certified copy of its articles of incorporation; a statement of the amount of its capital stock; a list of the stockholders, their places of residence, and the amount of stock held by each; and thereafter such corporation shall be entitled to all the privileges and immunities of a body corporate in this state, subject, however, to all the liabilities imposed upon similar corporations created under the laws of this state."

37. Page 54, section 103, line 2, strike out "to any railroad not exceeding twelve miles in length," and add to the section: "provided that such exemption shall not continue longer than five years after work has actually begun on said road."

58. Page 164, section 21, line 2, strike out "marine;" in line 4, strike out "sixty," and insert "thirty;" and after "thereafter," insert: "to prepare;" strike out all from the word "and", in line 4, to the word "under", in line 7.

The following additional amendment was reported as agreed to in committee of the Whole.

19½. Page 10, in section 31, after the word "twenty-nine", in line 4, strike out the following: "except in the cases mentioned in section thirty."

61. Page 209, after section 38, insert a new section as follows:

SEC. 39. Any person, association, or company, having unlawful possession of the corpse of any deceased person shall be jointly and severally liable with any and all other persons, associations, and companies that had or have had unlawful possession of such corpse in any sum not less than five hundred dollars and not more than five thousand dollars, to be recovered at the suit of the personal representative of the deceased in any court of competent jurisdiction, for the benefit of the next of kin of deceased."

Mr. Wilson demanded a division of the question as to the several amendments.

Amendment No. 1 as amended was agreed to.

The following amendments were agreed to: Nos. 2, 3, 4, 5, 7, 8, 9, 10, 11,

14, 15, 16, 18, 19, 19½, 23, 25, 26, 27, 28, 29, 31, 33, 34, 38, 39, 40, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 58, 59, 60 and 61.

On motion of Mr. Curtiss, the Senate took a recess until 10 o'clock tomorrow morning.

FRIDAY, *April* 18, 1879—10 o'clock A.M.

The Senate met pursuant to recess.

When the Senate took a recess, it had under consideration S. B. No. 271, the question being on agreeing to amendment No. 6.

Mr. Wilson moved to strike out the word "fifty", in line 2, of said amendment, and insert in lieu thereof the words "twenty-five."

On which motion the yeas and nays were demanded, taken, and resulted—yeas 12, nays 18, as follow :

Those who voted in the affirmative were—

Messrs. Beebe, Beer, Curtiss, Fisher, Howland, Jackson of Clinton, Kelley, Marsh, Richards, Sabine, Sherrick and Wilson—12.

Those who voted in the negative were—

Messrs. Armstrong, Benson, Carlisle, Carson, Dungan, Forrest, Irvine, Jackson of Perry, Joy, Krimmel, Lord, Owens, Parker, Saltzgaber, Seitz, Stokes, Tyler and Williams—18.

So the motion was disagreed to.

Amendment No. 6 was then agreed to.

The question then being on agreeing to amendment No. 13—

Mr. Saltzgaber moved to amend by substituting therefor the following :

Page 8 and 9, section 26, at end of first line insert: "one-half of"; and after the word "stock," in second line, insert: "actually subscribed and paid"; and strike out of the section all following the word "both" on first line of ninth page.

Said substitute was agreed to.

The amendment as amended was then agreed to.

The question then being on agreeing to amendment No. 17—

Mr. Saltzgaber moved to amend by substituting the following as a substitute for section 28:

SEC. 28. The stockholders of a corporation which may hereafter be formed, or one heretofore formed as to liabilities which hereafter accrue, shall be deemed and held liable for the payment of all of the debts of the corporation, except that in railroad, magnetic telegraph and mining companies stockholders shall be liable only in an amount equal to the stock by them subscribed or otherwise acquired in addition to such stock.

Pending which, on motion of Mr. Joy, the Senate took a recess.

THREE O'CLOCK P.M.

When the Senate took a recess, it had under consideration S. B. No. 271, the pending question being on Mr. Saltzgaber's motion to amend amendment No. 17, as reported from the committee of the Whole.

On which motion the yeas and nays were demanded, taken, and resulted yeas 10, nays 16, as follow :

Those who voted in the affirmative were—

Messrs. Dungan, Fisher, Forrest, Irvine, Joy, McDonald, Parker, Saltzgaber, Steedman and Williams—10.

Those who voted in the negative were—

Messrs. Armstrong, Beebe, Beer, Benson, Curtiss, Grove, Howland, Jackson of Perry, Kelley, Marsh, Owens, Richards, Sabine, Seitz, Sherrick and Wilson—16.

So the motion was disagreed to.

The question being on agreeing to amendment No. 17—

Mr. Forrest offered the following as a substitute for section 28:

SEC. 28. The stockholders of a corporation hereafter organized, shall be deemed and held individually liable for the payment of all of the debts and responsibilities of the corporation, except in case of the stockholders of railroads, mining and manufacturing companies, which shall be only liable in an amount equal to the stock by them subscribed or otherwise acquired to secure the payment of the debts and liabilities of the corporation.

On motion of Mr. Saltzgaber, sections 4 and 28, of chapter 1, and pending amendments, were informally passed.

The question then being on agreeing to amendment No. 21—

Mr. Saltzgaber moved to amend section 33, proposed to be stricken out, as follows: strike out the word "written" in line 2.

Which was agreed to.

The question then recurring on agreeing to amendment No. 21, striking out section 33, the yeas and nays were demanded, taken, and resulted—yeas 18, nays 11, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Carlisle, Carson, Curtiss, Fisher, Forrest, Grove, Jackson of Clinton, Jackson of Perry, Joy, Krimmel, Lord, Marsh, Owens, Tyler and Williams—18.

Those who voted in the negative were—

Messrs. Dungan, Howland, Irvine, Kelley, Parker, Richards, Sabine, Saltzgaber, Seitz, Steedman and Wilson—11.

So the motion to strike out was agreed to.

On motion of Mr. Krimmel, the further consideration of said S. B. No. 271 was postponed until 11 o'clock to-morrow.

Mr. Marsh submitted the following report:

The standing committee on Municipal Corporations, to whom was referred S. B. No. 347—To amend the act of May 14, 1878, entitled an act to amend, revise and consolidate the statutes relating to municipal corporations, to be known as title twelve, part one of the act to revise and consolidate the general statutes of Ohio, (O. L., Vol. 75, p. 161)—having had the same under consideration, report it back, and recommend its passage.

THEO. MARSH, G. M. SALTZGABER,
LYMAN J. JACKSON, JAS. B. STEEDMAN.

Mr. Marsh moved that said bill be engrossed and read the third time now.

Mr. Richards moved that the word "now" be stricken out, and "to-morrow" inserted.

Which was disagreed to.

The question then recurring on Mr. Marsh's motion, the yeas and nays were demanded, taken, and resulted—yeas 22, nays 6, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Benson, Carlisle, Carson, Curtiss, Dungan, Fisher, Forrest, Grove, Irvine, Jackson of Perry, Joy, Krimmel, Lord, Marsh, Owens, Parker, Saltzgaber, Seitz, Steedman, Tyler and Williams—22.

Those who voted in the negative were—

Messrs. Beebe, Beer, Howland, Jackson of Clinton, Kelley and Richards—6.

So the motion was agreed to, and the bill was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 19, nays 10, as follow :

Those who voted in the affirmative were -

Messrs. Armstrong, Benson, Carlisle, Dungan, Fisher, Forrest, Grove, Irvine, Jackson of Perry, Joy, Krimmel, Lord, Marsh, Owens, Parker, Seitz, Steedman, Tyler and Williams—19.

Those who voted in the negative were—

Messrs. Beebe, Beer, Curtiss, Howland, Jackson of Clinton, Kelley, Richards, Sabine, Saltzgaber and Wilson—10.

So the bill passed. The title was agreed to.

Mr. Dungan submitted the following report :

The joint committee on Enrollment has examined, and found correctly enrolled, the following bills :

H. B. No. 819—Relating to incorporated villages which, by the federal census of 1870 had, and which by any subsequent federal census may have a population of two thousand eight hundred and eighteen.

H. B. No. 699—To amend section twenty-three, of chapter one, division five of an act to revise and consolidate the laws relating to civil procedure in Courts of Common Pleas and Superior Courts, in District Courts on appeal, and also the laws relating to procedure in error, mandamus and quo warrant, (O. L., Vol. 75, p. 684.)

IRVINE DUNGAN,	J. W. WASHBURN,
R. G. RICHARDS,	WM. JESSUP,
DUNCAN DOW,	F. M. CARTER,
C. R. HARMON,	E. S. PERKINS.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The House of Representatives has agreed to the report of the committee of Conference on—

H. B. No. 726—Mr. Oglevee—Revising the statutes relating to definitions and general provisions.

Attest :

L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The House of Representatives has passed the following bill, in which the concurrence of the Senate is requested :

H. B. No. 885 - Mr. Van Cleaf—To amend the act of May 11, 1878, entitled an act to amend and revise the statutes relating to taxation, to

be known as title thirteen, part one of the act to revise and consolidate the general statutes, (Vol. 75, p. 436.)

Attest :

L. A. BRUNNER, *Clerk*.

Said bill was read the first time.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The Speaker of the House of Representatives has, in the presence of the House, signed the following bills :

H. B. No. 699—Mr. Bohl—To amend section twenty-three, of chapter one, division five of an act to revise and consolidate the laws relating to civil procedure in Courts of Common Pleas and Superior Courts, in District Courts on appeal, and also the laws relating to procedure in error, mandamus and quo warranto, (O. L., Vol. 75, p. 684).

H. B. No. 819—Mr. Dawson—Relating to incorporated villages which, by the federal census of 1870 had, and which by any subsequent federal census may have a population of two thousand eight hundred and eighteen (2818).

Attest :

L. A. BRUNNER, *Clerk*.

The President, in presence of the Senate, signed said bills.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The following bill has been introduced in the House of Representatives, and read the first time :

H. B. No. 982—Mr. Alexander—Making appropriations for the year 1879, and the first quarter of the fiscal year 1880.

Attest :

L. A. BRUNNER, *Clerk*.

Mr. Lord submitted the following report :

The select committee of four, to which was referred S. B. No. 330, report the following substitute therefor, and recommend its passage :

To amend the act of May 14, 1878, entitled an act to amend, revise and consolidate the statutes relating to municipal corporations, to be known as title twelve, part one of the act to revise and consolidate the general statutes of Ohio, (O. L., Vol. 75, p. 161):

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That chapter two, division seven of the above entitled act be so amended as to read as follows :

SECTION 1. In cities of the first grade of the first class, there shall be a board of city commissioners, composed of five members, who shall be electors of such city, and appointed by the police judge thereof, one member to serve for one year, one for two years, one for three years, one for four years, and one for five years ; and at each annual municipal election thereafter, a successor of the member whose term expires shall be elected by the electors of such city, to serve for the term of five years, and the members shall serve until their successors are elected and qualified.

SEC. 2. Each member shall give bond, with at least three sureties to

the satisfaction of the council, in the sum of fifty thousand dollars, conditioned for the faithful performance of his duties, which sureties shall each be required to take an oath that he is worth the amount of the bond above all liabilities; and the bond shall also be subject to the approval of the mayor and city solicitor.

SEC. 3. The members of the board shall devote their entire time and attention to the duties of the office, and shall each receive, as compensation, a salary of twenty-five hundred dollars per annum; and they shall immediately after the passage of this act divide the city into five districts as nearly equal in size as possible, and of compact territory, and apportion one of such districts to each of the members of the board who shall personally supervise the cleaning, repairing, and improving the streets, alleys, avenues, bridges, sewers, drains, ditches and culverts, lanes, public wharves and landings, market-houses and spaces.

SEC. 4. The board shall hold daily meetings, and three shall constitute a quorum for the transaction of business; the ayes and nays shall be called and entered upon a journal upon the passage of every resolution or order of any kind; and no resolution or order shall be adopted unless three votes are recorded in its favor.

SEC. 5. The board shall keep a complete record of all its proceedings, and a copy from its records, certified by the clerk, shall be competent evidence in all courts; but a separate journal and record, and separate accounts, shall be kept touching all matters connected with the control of the water-works of such city.

SEC. 6. The members of the board shall have seats in both branches of the common council, and be entitled to take part in its proceedings and deliberations on all questions relating to matters under their charge, subject to such rules as the council shall, from time to time, prescribe, but without the right to vote; and one of the board may be compelled to attend every meeting of either board of council in the same manner as the members.

SEC. 7. The board may employ such superintendents, engineers, clerks, laborers, and other persons, as it may deem necessary for the execution of its duties, and fix their salaries and compensation; but the salaries of such superintendents, clerks and engineers as are appointed for a definite time shall be fixed within limits prescribed by the common council; and any of such persons may be removed by the board at any time.

SEC. 8. The board shall have all the powers which, in other cities, are vested in the trustees of the water-works, the board of improvements, the commissioners of sewers, the park commissioners, and the platting commission, as provided in the chapters of this title relating to those matters, and shall be governed by the rules prescribed by law for the government of those boards, when not inconsistent with the provisions of this chapter, and the board shall have all the other powers heretofore conferred either by law or ordinance upon the board of public works.

SEC. 9. When the board deems it advisable to make a contract for the execution of any work, or the purchase of materials for matters under its charge, a careful estimate shall be made of the cost of such work or material.

SEC. 10. In all cases where assessments are to be made, or where the estimated cost of any work or material exceeds five hundred dollars, the board shall transmit to council, with its recommendations, a resolution or ordinance, as the case may be, authorizing the execution of such work,

or the purchase of such material, at a cost not to exceed the amount of the estimate, which shall be transmitted.

SEC. 11. Upon the passage by council of the resolution or ordinance, it shall be the duty of the board to advertise for proposals, in accordance therewith, for a period of at least ten days, in one or more of the newspapers of general circulation in the city, for sealed proposals to do the work or furnish the material required; and the board shall award the contract to the lowest responsible bidder or reject all bids: provided, the cost under such bidder does not exceed the estimate transmitted to council.

SEC. 12. Contracts shall be made in the name of the city, executed in behalf of the city by the presiding officer of the board, and filed in their office.

SEC. 13. No member of the board, nor other person, whether in the employ of the board or otherwise, shall have power to create any liability on account of the board, or the funds under its control, except by express authority of the board, conferred at a meeting thereof, duly and regularly convened.

SEC. 14. No member, officer, or employe of the board, shall be directly or indirectly interested in any contract, or work of any kind whatever under its direction; and any contract or work in which any such person shall have an interest shall be void. It shall be the duty of any person having knowledge or information of the violation of this section forthwith to report the facts to the board; and the board shall give reasonable notice to the parties interested, and at the earliest convenient day investigate the same, and hear evidence offered on both sides.

SEC. 15. The board shall have power in such case to compel the attendance of witnesses and production of books and papers; and the presiding officer shall have authority to administer the necessary oaths.

SEC. 16. If a member of the board be involved in any such charge, he shall not again sit or vote in the board until the result of the investigation is determined, announced, and entered on the minutes of the board; a majority of the board not involved in the charge shall be sufficient to decide the questions; and if an officer or employe of the board be found, upon such inquiry, to have violated any of the foregoing provisions, such finding shall at once operate as a dismissal of such officer or employe.

SEC. 17. If a contract made or authorized by the board is found to violate any of the foregoing provisions, it shall at once become void and of no effect, and no money shall be paid for services rendered or materials furnished under the same.

SEC. 18. No money shall be paid at any time to any person claiming under a contract with the board until such person shall have first filed with the board, his statement under oath, disclosing the names of all persons, directly or indirectly, interested in the contract, or in the proceeds or profits thereof, declaring that no person other than those named, are interested, and that no person forbidden by this chapter has any interest in the same.

SEC. 19. In cases where the board may contract without the approval of the council, it may, in its discretion, purchase the necessary material and employ the necessary overseers and hands to do the work; and council may also, in special cases, on the recommendation of the board, authorize any work, no part of which is to be paid by assessment, to be done in the same manner.

SEC. 20. When it becomes necessary, in the opinion of the board, in the prosecution of any work, to make alterations or modifications in the specifications or plans of a contract, such alteration or modification shall only be made by order of the board, and such order shall be of no effect until the price to be paid for the same has been agreed upon in writing, and signed by the contractor and some person authorized thereunto by the board; provided the total cost of the work, with the addition of the price, so agreed upon, shall not exceed the original estimate.

SEC. 21. No contractor shall be allowed anything for extra work caused by any alteration or modification, unless an order is made or agreement signed, as provided in the preceding section, nor shall he, in any case, be allowed more for such alteration than the price fixed by such agreement.

SEC. 22. No ordinance or resolution authorizing any improvement shall be passed by council except upon the recommendation of the board.

SEC. 23. No grant of the use of a street or highway in such city for the purpose of a street or other railroad, or an extension thereof, or for any other purpose whatsoever, shall be made or renewed unless first recommended by the board; nor shall any such street or highway be used for supplying gas or water, or be broken up or obstructed for any purpose or on any pretense whatever, unless permission is first given by the board and attested by its clerk, in writing; nor shall a resolution or ordinance for the payment of money in settlement of claims for unliquidated damages be passed, nor shall any binding agreement for such settlement be made by the common council, unless the payment or settlement of such claim be first recommended by the board; nor shall any property used or to be used for purposes under the control of the board, or for purposes of the city, be purchased, leased, or disposed of, without such recommendation being first made; and any such measure required to originate in the board, which is altered, changed, or amended, in any particular, before taking effect, shall be concurred in by said board.

SEC. 24. A member of the board may be removed from office for incompetency, inefficiency, neglect of duty, or unfaithfulness of trust, by a vote of two-thirds of all the members elected to the board of alderman of such city; and all vacancies in the board otherwise than by expiration of the term for which such member was appointed or elected, shall be filled by appointment, to be made by the police judge of such city for the unexpired term to which such member was appointed or elected.

SEC. 25. The revenues of the water-works shall be expended by the board. Contracts for water-works purposes shall be made by it only, and from said revenues the board shall pay the interest upon any bonds heretofore and hereafter issued by the city for water-works purposes, after the expenditures of the amount raised by the current levy of taxes to pay interest upon such bonds.

SEC. 2. That section one, chapter one, division seven, of said act be so amended as to read as follows:

SEC. 1. When the council of a city establishes a board of improvements, such board shall be composed of the mayor, civil engineer, the street commissioner, the chairman of the committee on streets of the council, and one freehold elector of the corporation, to be appointed by the mayor with consent of the council, for such time as may, by ordinance, be determined: provided, that in cities of the second grade of the first class, such board shall be composed of the mayor, the civil engineer, the street commissioner, one freehold elector of the corporation, to be

elected by the council, and the chairman of the committee on streets of the city council: and provided, further, that in cities of the first grade of the first class, there shall be no such board, but the duties of the board, defined herein, are devolved upon the board of city commissioners, which board shall, in addition to its other powers and duties, have all the powers and perform all the duties required of the board of improvements in this chapter not inconsistent with the duties of said board of city commissioners.

SEC. 3. That section one hundred and forty-five, chapter four, division seven, of said act be so amended as to read as follows:

SEC. 145. In cities of the first grade of the first class, the powers and duties devolved upon the board of improvements, or commissioners of sewers, in this chapter, shall be performed by the board of city commissioner, and in such city there shall be no board of commissioners of sewers.

SEC. 4. That section two, chapter one, division eight, of said act be so amended as to read as follows:

SECTION 2. The council of any city or village in which water-works are situated, or in progress of construction, or when it orders water-works to be constructed, shall establish a board of three trustees, to be known as the trustees of the water-works. who shall be elected by the electors of the corporation, and hold their office for the term of three years, except that at the first election under this chapter, one shall be chosen for one year, one for two years, and one for three years; and thereafter one of the trustees shall be elected annually: provided, that in cities of the first grade of the first class there shall be no board of trustees of water-works, but the duties of such trustees are devolved on the board of city commissioners, which board shall have all the powers and perform all the duties required of the board of trustees in this chapter.

SEC. 5. That section fourteen, chapter twelve, division eight of said act be so amended as to read as follows:

SECTION 14. The provisions of this chapter, in regard to the appointment of commissioners, shall not apply to cities of the first grade of the first class, but the duties herein devolved upon such commissioners shall be performed in such cities by the board of city commissioners.

SEC. 6. That section one, chapter six, division eight of said act be so amended as to read as follows:

SECTION 1. The improvement and control of all parks in cities of the first grade of the first class, shall be vested in a board of city commissioners, provided for in chapter two of the seventh division of this title.

SEC. 7. The passage of this act shall not be construed to affect the tenure or term of any person now in office, except the members of the board of public works in cities of the first grade of the first class, and said board is hereby abolished; and the board herein established shall be in all respects the successor of said board of public works.

SEC. 8. That the whole of chapter two, division seven, section 1, chapter one, division seven, section one hundred and forty-five, chapter four, division seven, section two, chapter one, division eight, section fourteen, chapter twelve, division eight, section one, chapter six, division eight, of said act of May 14, 1878, be and the same are hereby repealed.

SEC. 9. This act shall take effect and be in force from and after its passage.

H. C. LORD,	THEO. MARSH,
J. M. ARMSTRONG,	W. T. FORREST.

The question being on agreeing to the substitute, the yeas and nays were demanded, taken, and resulted—yeas 19, nays 9, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Benson, Carlisle, Carson, Dungan, Fisher, Forrest, Irvine, Jackson of Perry, Joy, Krimmel, Lord, Marsh, Owens, Parker, Saltzgaber, Steedman, Tyler and Williams—19.

Those who voted in the negative were—

Messrs. Beebe, Beer, Curtiss, Howland, Jackson of Clinton, Kelley, Richards, Sabine and Wilson—9.

So the substitute was agreed to.

Mr. Lord moved that the bill be engrossed and read the third time now.

Mr. Richards moved that the bill be laid on the table and printed.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 9, nays 17, as follow :

Those who voted in the affirmative were—

Messrs. Beebe, Beer, Curtiss, Howland, Jackson of Clinton, Kelley, Richards, Sabine and Wilson—9.

Those who voted in the negative were—

Messrs. Armstrong, Benson, Carlisle, Carson, Dungan, Fisher, Forrest, Irvine, Jackson of Perry, Joy, Krimmel, Lord, Marsh, Parker, Saltzgaber, Steedman and Tyler—17.

So the motion was disagreed to.

The question recurring on Mr. Lord's motion—

Mr. Richards moved to amend by striking out the word "now", and inserting "next Wednesday."

On which motion the yeas and nays were demanded, taken, and resulted—yeas 9, nays 19, as follow :

Those who voted in the affirmative were—

Messrs. Beebe, Beer, Curtiss, Howland, Jackson of Clinton, Kelley, Richards, Sabine and Wilson—9.

Those who voted in the negative were—

Messrs. Armstrong, Benson, Carlisle, Carson, Dungan, Fisher, Forrest, Irvine, Jackson of Perry, Joy, Krimmel, Lord, Marsh, Parker, Saltzgaber, Seitz, Steedman, Tyler and Williams—19.

So the motion was disagreed to.

The question recurring on Mr. Lord's motion, pending which—

On demand of Mr. Steedman, a call of the Senate was had.

Twenty-nine Senators answered to their names.

Messrs. Grove, McDonald, Sherrick and Stokes were absent.

Mr. Benson moved that further proceedings under the call be dispensed with.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 23, nays 4, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Benson, Carlisle, Carson, Curtiss, Dungan, Fisher, Forrest, Irvine, Jackson of Clinton, Jackson of Perry, Joy, Krimmel, Lord, Marsh, Parker, Richards, Saltzgaber, Seitz, Steedman, Tyler, Williams and Wilson—23.

Those who voted in the negative were—

Messrs. Beer, Howland, Kelley and Sabine—4.

So the motion was agreed to.

Leave of absence was asked and obtained for Messrs. Stokes, McDonald, Grove and Sherrick until Tuesday next.

The question then recurring on Mr. Lord's motion to engross and read the bill the third time now, the yeas and nays were demanded, taken, and resulted—yeas 18, nays 10, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Benson, Carlisle, Carson, Dungan, Fisher, Forrest, Irvine, Jackson of Perry, Joy, Krimmel, Lord, Marsh, Parker, Saltzgaber, Steedman, Tyler and Williams—18.

Those who voted in the negative were—

Messrs. Beebe, Beer, Curtiss, Howland, Jackson of Clinton, Kelley, Owens, Richards, Sabine and Wilson—10.

So the motion was agreed to, and the bill was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 18, nays 10, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Benson, Carlisle, Carson, Dungan, Fisher, Forrest, Irvine, Jackson of Perry, Joy, Krimmel, Lord, Marsh, Parker, Saltzgaber, Steedman, Tyler and Williams—18.

Those who voted in the negative were—

Messrs. Beebe, Beer, Curtiss, Howland, Jackson of Clinton, Kelley, Owens, Richards, Sabine and Wilson—10.

So the bill passed. The title was agreed to.

Mr. Beer moved that the Senate adjourn.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 15, nays 10, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Beer, Carson, Curtiss, Fisher, Forrest, Howland, Kelley, Marsh, Owens, Richards, Sabine, Saltzgaber, Seitz, Steedman and Williams—15.

Those who voted in the negative were—

Messrs. Benson, Carlisle, Dungan, Irvine, Jackson of Clinton, Krimmel, Lord, Parker, Tyler and Wilson 10.

So the motion was agreed to, and the Senate adjourned.

Attest:

ALLEN O. MYERS, *Clerk*.

SATURDAY, April 19, 1879—10 o'clock A.M.

The Senate met pursuant to adjournment.

The Journal was read and approved.

The following bill was read the second time, and referred to the committee on Finance:

H. B. No. 885—Mr. Van Cleaf—To amend the act of May 11, 1878, entitled an act to amend and revise the statutes relating to taxation, to be known as title thirteen, part one of the act to revise and consolidate the general statutes, (Vol. 75, p. 436).

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives accedes to the request of the Senate, and herewith returns—

H. B. No. 665—Mr. Sextro—To amend section forty-three, chapter four, division seven of an act entitled an act to amend, revise and consolidate the statutes relating to municipal corporations, to be known as title twelve, part one of the act to revise and consolidate the general statutes of Ohio, passed May 14, 1878, (75 Laws, 322.)

Attest :

L. A. BRUNNER, *Clerk*.

On motion of Mr. Curtiss, said bill was laid on the table.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The House of Representatives has concurred in the passage of the following bill :

S. B. No. 200—Mr. Saltzgaber—To revise and consolidate the laws relating to property—with the following amendments in which the concurrence of the Senate is requested :

At the end of section 22, add the following words: "but in no other case shall any person inherit unless living at the time of the death of the intestate."

Attest :

L. A. BRUNNER, *Clerk*.

On motion of Mr. Curtiss, said bill and amendment was referred to the committee on the Judiciary.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The House of Representatives requests that a certified copy of S. B. No. 237, by Mr. Beer, be returned to the House.

Attest :

L. A. BRUNNER, *Clerk*.

On motion of Mr. Curtiss, the request of the House was acceded to.

Mr. Tyler submitted the following report :

The standing committee on Benevolent Institutions, to whom was referred the appointment of John Shriner, of Middleport, Meigs Co., Ohio, to be a Trustee of the Athens Asylum for the Insane, for the period of five years, from April 4, 1879—having had the same under consideration, report it back, and recommend his confirmation.

GEO. P. TYLER,	B. W. CARLISLE,
G. A. GROVE,	H. W. CURTISS,
C. F. KRIMMEL,	D. D. BEEBE
THEO. MARSH,	

The question being on advising and consenting to said appointment—
On motion of Mr. Tyler, the report was laid on the table.

Mr. Saltzgaber moved to reconsider the vote whereby S. B. No. 200 and amendment was referred to the committee on the Judiciary.

Which was agreed to.

The question being on the motion to refer the bill to the Judiciary committee, it was agreed to.

The question being on concurring in the House amendment, to said bill, the yeas and nays were demanded, taken, and resulted—yeas 20, nays none, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Benson, Carson, Curtiss, Fisher, Forrest, Irvine, Jackson of Perry, Kelley, Krimmel, Lord, Marsh, Owens, Parker, Richards, Sabine, Saltzgaber, Seitz, Williams and Wilson—20.

So the Senate concurred in said amendment.

Mr. Saltzgaber moved that the vote whereby said House amendment was concurred in be reconsidered.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 19, nays none, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Benson, Carson, Curtiss, Fisher, Forrest, Irvine, Jackson of Perry, Krimmel, Lord, Marsh, Owens, Parker, Richards, Saltzgaber, Seitz, Steedman, Williams and Wilson—19.

So the motion was agreed to.

On motion of Mr. Saltzgaber, said bill was referred to the joint committee on Consolidated Laws.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bill, in which the concurrence of the Senate is requested :

H. B. No. 941—Mr. Edwards—To provide for the control and management of the Central High School in the village of Hubbard, Trumbull county.

Attest :

L. A. BRUNNER, *Clerk.*

Said bill was read the first time.

On demand of Mr. Carson, a call of the Senate was had.

Twenty-five Senators answered to their names.

Messrs. Beebe, Beer, Jackson of Clinton and Parker were absent.

On motion of Mr. Seitz, further proceedings under the call were dispensed with.

Leave of absence was asked and obtained for Mr. Beer until Monday noon next, and Mr. Beebe until Tuesday next.

H. B. No. 801—Mr. Sullivan of Miami—To amend the act of March 12, 1831, entitled an act prescribing the duties of county treasurers, (29 Vol., p. 291 ; S. & C., p. 1584)—was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted yeas 22, nays none, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Benson, Carlisle, Carson, Curtiss, Dungan, Fisher, Forrest, Howland, Joy, Kelley, Krimmel, Lord, Marsh, Owens, Richards, Sabine, Seitz, Steedman, Tyler, Williams and Wilson—22.

So the bill passed. The title was agreed to.

H. B. No. 564—Mr. Norton—To provide for the location, establishment, and construction of a new ditch in part, and for the alteration, changing, straightening, cleaning out, widening, deepening, extending, and otherwise improving certain ditches, drains, and water-courses in the counties of Seneca and Sandusky, in the State of Ohio—was read the third time.

Mr. Seitz moved to refer the bill to a select committee of one, with instructions to amend as follows :

Strike out the word "seven", in line 5, section 6, and insert in lieu thereof the word "six."

Which was agreed to, and Mr. Seitz was appointed such committee, and reported the bill back amended as instructed.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 22, nays none, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Benson, Carlisle, Carson, Curtiss, Dungan, Fisher, Howland, Irvine, Jackson of Perry, Kelley, Krimmel, Lord, Marsh, Owens, Richards, Sabine, Seitz, Steedman, Tyler, Williams and Wilson—22.

So the bill passed. The title was agreed to.

H. B. No. 812—Mr. Hostetter—To provide for the straightening, clearing out, widening, deepening, and otherwise improving Mud creek and Greenville creek, also their tributaries, in Darke county, Ohio—was read the third time.

Mr. Benson moved to refer the bill to a select committee of one, with instructions to amend as follows :

Section 6, line 5, strike out the word "seven", and insert "six."

Which was agreed to, and Mr. Benson was appointed such committee, and reported the bill back amended as instructed.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 18, nays none, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Benson, Carlisle, Carson, Curtiss, Dungan, Fisher, Howland, Irvine, Jackson of Perry, Lord, Marsh, Owens, Seitz, Steedman, Tyler, Williams and Wilson—18.

So the bill passed. The title was agreed to.

On motion of Mr. Carson, H. J. R. No. 112 was laid on the table.

Mr. Forrest submitted the following report :

The standing committee on Judiciary, to whom was referred H. B. No. 643—Revising the statutes relating to the Legislative Department—having had the same under consideration, report it back, and recommend its passage.

W. T. FORREST,	W. P. HOWLAND,
G. M. SALTZGABER,	IRVINE DUNGAN.
LYMAN J. JACKSON,	

Said bill was ordered to be engrossed and read the third time on Wednesday next.

Mr. Marsh submitted the following report :

The standing committee on Municipal Corporations, to whom was referred H. B. No. 811—To authorize the Council of the city of Delaware to issue bonds for the purpose of purchasing a site and erecting thereon a building for an engine-house, Mayor's office, Council-room, city prison, and armory—having had the same under consideration, report it back, and recommend its passage.

THEO. MARSH,	JAMES B. STEEDMAN,
G. A. GROVE,	LYMAN J. JACKSON,
G. W. WILSON,	R. G. RICHARDS.

Said bill was ordered to be engrossed and read the third time on Tuesday next.

Mr. Tyler submitted the following report :

The standing committee on Railroads, Telegraphs, and Turnpikes, to whom was referred H. B. No. 830—To authorize the Commissioners of

Clermont county to levy a tax—having had the same under consideration, report it back, and recommend its passage.

GEO. P. TYLER,	H. C. LORD,
J. M. CARSON,	H. SABINE,
THOS. M. BEER,	D. JOY.

Said bill was ordered to be engrossed and read the third time on Wednesday next.

Mr. Irvine submitted the following report:

The standing committee on Insurance, to whom was referred H. B. No. 717—To amend section seven of an act entitled an act to provide for establishing an insurance department in the State of Ohio, as amended May 5, 1878, (O. L., Vol. 75, p. 576)—having had the same under consideration, report it back, and recommend its passage.

JOHN IRVINE,	G. M. SALTZGABER,
THEO MARSH,	G. W. WILSON.
C S. PARKER,	

Said bill was ordered to be engrossed and read the third time on Tuesday next.

Mr. Krimmel submitted the following report:

The standing committee on Benevolent Institutions, to whom was referred S. B. No. 216—Revising and consolidating the statutes relating to the Benevolent Institutions of the State—having had the same under consideration, report it back, with the following amendment, and recommend its passage when so amended:

In section 1, page 257, lines 9 and 10, strike out the words “the court of common pleas or.”

C. F. KRIMMEL,	THEO. MARSH,
G. A. GROVE,	H. W. CURTISS,
B. W. CARLISLE,	GEO. P. TYLER.

Said amendment was agreed to, and the bill was ordered to be engrossed and read the third time on Wednesday next.

Mr. Kelley submitted the following report:

The standing committee on Public Printing, to whom was referred H. J. R. No. 110—Providing for the printing and binding in cloth of 600 copies, additional, of the Adjutant-general's report—having had the same under consideration, report it back, and recommend its adoption.

J. C. FISHER,	JOHN H. BENSON,
J. M. ARMSTRONG,	LINDSEY KELLEY.
DAVID BEEBE,	

The question being on the adoption of said joint resolution, the yeas and nays were taken, and resulted—yeas 17, nays 4, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Benson, Carlisle, Curtiss, Fisher, Howland, Irvine, Jackson of Perry, Kelley, Krimmel, Lord, Owens, Richards, Sabine, Steedman, Tyler and Wilson—17.

Those who voted in the negative were—

Messrs. Carson, Dungan, Forrest and Seitz—4.

So the joint resolution, not having received a constitutional majority, was lost.

Mr. Jackson of Perry moved that the vote whereby H. J. R. No. 110 was lost be reconsidered.

Which was agreed to.

On motion of Mr. Jackson of Perry, said joint resolution was laid on the table.

Mr. Carlisle submitted the following report :

The committee on Roads and Highways, to whom was referred H. B. No. 845—To enable the Commissioners of Clarke, Miami, Pickaway and Pike counties to purchase toll-roads, and convert the same into free roads—having had the same under consideration, report it back, with the following amendments, and recommend its passage when so amended :

1. Amend title by inserting the word "Franklin," after the word "Clarke."

2. In section 1, line 3, after the word "Clarke," insert the word "Franklin."

3. At the end of section 2, add the following: "If the commissioners of either of the counties of Clark or Franklin shall so purchase the toll-roads in their respective counties, then that part of the national road which lies within either of said counties shall become a free road, and shall be kept up and maintained in the same manner as are the purchased toll-roads therein."

B. W. CARLISLE,	THOS. S. JACKSON,
JOHN H. BENSON,	LINDSEY KELLEY.
J. B. WILLIAMS,	

Said amendments were agreed to, and the bill was ordered to be engrossed and read the third time now, and was then read.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 23, nays 1, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Benson, Carlisle, Carson, Curtiss, Dungan, Fisher, Howland, Jackson of Perry, Joy, Kelley, Krimmel, Lord, Marsh, Owens, Parker, Richards, Sabine, Seitz, Steedman, Tyler, Williams and Wilson—23.

Mr. Forrest voted in the negative.

So the bill passed. The title was agreed to.

Mr. Saltzgaber submitted the following report :

The standing committee on Public Works and Public Lands, to whom was referred H. B. No. 747—Authorizing the Board of Public Works to grant or lease the south bank of the Six-mile Reservoir, in Paulding county, to the Paulding and Antwerp Railroad Company for a road-bed under certain restrictions—having had the same under consideration, report it back, with the following amendment, and recommend its passage when so amended :

Strike out the following words where they occur, beginning in line 4, viz.: "but not less than five per centum annual rental on the estimated cost of said bank."

JAS. B. STEEDMAN,	G. W. WILSON,
W. P. HOWLAND,	LYMAN J. JACKSON,
H. C. LORD,	G. M. SALTZGABER.
G. A. GROVE,	

Said amendment was agreed to, and the bill was ordered to be engrossed and read the third time on Wednesday next.

Mr. Wilson offered the following resolution, which was adopted :

S. R. No. 92: WHEREAS, The lessees of the Public Works of the State of Ohio have petitioned the General Assembly for an appropriation of \$18,820.00, to pay them a balance, which they claim on a contract of

purchase from them by the Board of Public Works, of all their bridges, boats, horses, tools and implements of every description used by said lessees in the management of the canals; therefore,

Be it resolved by the Senate of the General Assembly of the State of Ohio, That the Board of Public Works of this State are requested to furnish the Senate with a written statement of the substance of the contract for the purchase of said property, the amount paid therefor, and the balance, if any, remaining unpaid on the contract; together with any other facts which will enable the Senate to ascertain what amount, if any, should be appropriated for that purpose.

Mr. Forrest moved that the Senate proceed to the consideration of S. B. No. 271.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 5, nays 17, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Carson, Forrest, Steedman and Tyler 5.

Those who voted in the negative were—

Messrs. Benson, Carlisle, Curtiss, Dungan, Fisher, Howland, Irvine, Jackson of Perry, Joy, Kelley, Krimmel, Lord, Marsh, Owens, Richards, Sabine and Wilson—17.

So the motion was disagreed to.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The following bills have been introduced in the House of Representatives, and read the first time :

H. B. No. 983—Mr. Hayman—To authorize the creation of a special school district in Niles township, Scioto county.

H. B. No. 984 —Mr. Wales—To exempt from taxation the benevolent fund of Indiana Yearly Meeting of Friends.

H. B. No. 985—Mr. Sullivan of Miami—To divide Brown township, Miami county, into two voting precincts.

Attest :

L. A. BRUNNER, *Clerk.*

Mr. Curtiss moved that the Senate adjourn.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 17, nays 9, as follow :

Those who voted in the affirmative were—

Messrs. Benson, Curtiss, Fisher, Howland, Irvine, Jackson of Perry, Joy, Kelley, Krimmel, Lord, Marsh, Owens, Richards, Sabine, Steedman, Williams and Wilson—17.

Those who voted in the negative were—

Messrs. Armstrong, Carlisle, Carson, Dungan, Forrest, Parker, Saltz-gaber, Seitz and Tyler—9.

So the motion was agreed to, and the Senate adjourned.

Attest :

ALLEN O. MYERS, *Clerk.*

MONDAY, *April* 21, 1879—10 o'CLOCK A.M.

The Senate met pursuant to adjournment.

Prayer by Rev. Wm. J. Davis.

The Journal was read and approved.

Mr. Beebe presented the petition of Hon. S. E. Judd and 59 other citizens of Hudson, Summit county, asking authority to submit to a vote the question of building an addition to the school-house, in that village, and issuing bonds to pay for same.

Which was referred to the committee on Municipal Corporations.

Mr. Richards presented the petition of William Davy and 225 other citizens of Perry county, for the passage of Edwards' House Bill, for the enforcement of the law against the payment of wages in checks or scrip, passed May 10, 1878.

Which was referred to the committee on Manufactures and Commerce.

Mr. Richards presented the petition of James Morgan and 374 other citizens of Perry county, for the passage of Edwards' House Bill, for the enforcement of the law passed May 10, 1878, against the payment of wages in checks or scrip.

Which was referred to the committee on Manufactures and Commerce.

The following bill was read the second time and referred, as follows:

H. B. No. 941—Mr. Edwards—To provide for the control and management of the Central or High School in the village of Hubbard, Trumbull county.

Committee on Common Schools and School Lands.

Mr. Lord moved that the Senate take a recess.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 7, nays 13, as follow:

Those who voted in the affirmative were—

Messrs. Curtiss, Kelley Krimmel, Lord, Owens, Richards and Wilson—7.

Those who voted in the negative were—

Messrs. Armstrong, Benson, Carlisle, Dungan, Fisher, Forrest, Howland, Irvine, Joy, Seitz, Tyler, Wagener and Williams—13.

So the motion was disagreed to.

Mr. Forrest moved to take from the table S. B. No. 271.

Which was agreed to.

Mr. Dungan moved to amend amendment No. 20 to said bill as follows:

Page 10, section 32, amend the amendment in lines 5, 6 and 7, by striking out the words "and no person who has in good faith transferred or sold his stock before the action was instituted, shall be liable as a stockholder."

Which was disagreed to.

The question then recurring on agreeing to amendment No. 20—

The same was agreed to.

Mr. Jackson of Perry moved that the Senate take a recess.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 13, nays 6, as follow:

Those who voted in the affirmative were—

Messrs. Benson, Carlisle, Curtiss, Howland, Irvine, Jackson of Perry, Kelley, Owens, Richards, Sabine, Wagener, Williams and Wilson—13.

Those who voted in the negative were—

Messrs. Armstrong, Fisher, Forrest, Grove, Seitz and Tyler—6.

So the motion was agreed to, and the Senate took a recess.

THREE O'CLOCK P.M.

When the Senate took a recess, it had under consideration S. B. No. 271, the question being on agreeing to amendment No. 35.

The same was agreed to.

The question then being on agreeing to amendment No. 37—

Mr. Wilson moved to amend the amendment as follows:

Strike out the words "after work has actually begun", in the last line of the amendment, and insert: "after cars are run for the transportation of freight and passengers."

Which was agreed to.

The question then being on agreeing to the amendment as amended—

The same was agreed to.

Mr. Dungan moved to amend section 7, line 1, page 93, as follows: insert "not" after the word "are".

Which was agreed to.

Mr. Seitz moved to reconsider the vote whereby Mr. Dungan's amendment to section 7, line 1, page 93, was agreed to.

Which was agreed to.

The question recurring on agreeing to the amendment—

The same was disagreed to.

The question then being on agreeing to amendment No. 43—

The same was agreed to.

The question being on agreeing to amendment No. 24—

Mr. Jackson of Perry moved to amend said amendment as follows:

After the word "corporations," in last line, insert: "and the stockholders thereof."

Which was agreed to.

Mr. Richards moved to amend said amendment by striking out "annually," in line 2; and insert after "incorporation," in line 3: "and annually."

Which was agreed to.

The question recurring on agreeing to the amendment as amended—

The same was agreed to.

Mr. Richards moved to reconsider the vote whereby amendment No. 20 was agreed to.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 14, nays 6, as follow:

Those who voted in the affirmative were—

Messrs. Beer, Curtiss, Dungan, Fisher, Forrest, Grove, Howland, Irvine, Jackson of Clinton, Joy, Lord, Seitz, Wagener and Wilson—14.

Those who voted in the negative were—

Messrs. Carlisle, Jackson of Perry, Owens, Parker, Richards and Tyler—6.

So the motion was agreed to.

Mr. Wilson moved to amend said amendment as follows:

Section 32, page 10, strike out the word "creditors", in line 2, and insert the word "stockholders."

Which was agreed to.

Mr. Jackson of Perry moved to further amend said amendment as follows:

After "stockholders," in line 5, insert: "upon whom jurisdiction can be acquired within the state."

Which was agreed to.

Mr. Wilson moved to further amend said amendment as follows:

Section 32, page 10, in line 6, after the word "before," strike out the words "the action was instituted," and insert: "the corporation become insolvent."

On which motion the yeas and nays were demanded, taken, and resulted—yeas 10, nays 8, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Beer, Curtiss, Fisher, Forrest, Howland, Jackson of Clinton, Seitz, Tyler and Wilson—10.

Those who voted in the negative were—

Messrs. Grove, Jackson of Perry, Joy, Lord, Owens Parker, Wagener and Williams—8.

So the motion was agreed to.

The question then recurring on agreeing to amendment No. 20, as amended, the yeas and nays were demanded, taken, and resulted—yeas 11, nays 5, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Fisher, Forrest, Grove, Jackson of Perry, Kelley, Owens, Parker, Tyler, Wagener and Williams 11.

Those who voted in the negative were—

Messrs. Beer, Howland, Joy, Lord and Wilson—5.

So said amendment as amended was agreed to.

Messrs. Curtiss, Irvine, Jackson of Clinton, Richards and Seitz were present, but not voting.

Amendment No. 17, informally passed when the bill was under consideration on a previous day, was then taken up, the question being on agreeing to Mr. Forrest's amendment to said amendment.

Mr. Seitz moved that the further consideration of said bill be postponed until 10½ o'clock A.M. to-morrow, and made the special order for that hour.

Which was agreed to.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has refused to concur in the passage of—

S. B. No. 329 Mr. Tyler—To authorize the Commissioners of Brown county, Ohio, to construct certain free turnpike roads.

Attest:

L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives requests the return of—

S. B. No. 329—Mr. Tyler—To authorize the Commissioners of Brown county, Ohio, to construct certain free turnpike roads.

Attest:

L. A. BRUNNER, *Clerk,*

Mr. Dungan submitted the following report:

The joint committee on Enrollment has examined, and found correctly enrolled, the following bill:

H. B. No. 801—To amend the act of March 12, 1831, entitled an act prescribing the duties of county treasurers (29 Vol., 291 ; S. & C., 1584.)

IRVINE DUNGAN,	E. S. PERKINS,
C. F. KRIMMEL,	A. D. MARSH,
F. M. CARTER,	WM. JESSUP.
DUNCAN DOW,	

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The House of Representatives has concurred in Senate amendments to the following bills:

H. B. No. 564 Mr. Norton An act to provide for the location, establishment, and construction of a new ditch in part, and for the alteration, changing, straightening, cleaning out, widening, deepening, extending, and otherwise improving certain ditches, drains and water-courses in the counties of Seneca and Sandusky, in the State of Ohio.

H. B. No. 812—Mr. Hostetter—To provide for the straightening, clearing out, widening, deepening and otherwise improving Mud creek and Greenville creek, also their tributaries, in Darke county, Ohio.

Attest:

L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The following bills have been introduced in the House of Representatives, and read the first time:

H. B. No. 986 Mr. Oglevee—Supplementary to an act to authorize the Trustees of Madison township, Clarke county, Ohio, to join with the Council of the incorporated village of South Charleston in the construction of a town-hall, for the joint use of said township and village, passed April 8, 1876, (O. L., Vol. 73, pp. 292-293.)

H. B. No. 987—Mr. Haley—To provide for the more effectual drainage of Hog Creek Marsh, in Hardin county, Ohio.

H. B. No. 988—Mr. Achauer—To repeal an act therein named.

H. B. No. 989 Mr. Sage To amend an act entitled an act to provide for the straightening, cleaning out, widening, deepening and otherwise improving certain ditches, drains and water-courses in Wood county, Ohio.

H. B. No. 990—Mr. Covert—To amend the act of May 5, 1877, entitled an act to amend, revise and consolidate the statutes relating to crimes and offenses, and to repeal certain acts therein named, to be known as title one, crimes and offenses, part four of the act to revise and consolidate the general statutes of Ohio, (Vol. 74, p. 246.)

H. B. No. 991—Mr. Swaim—To amend the act of May 7, 1878, entitled an act to revise and consolidate the laws relating to procedure in the Probate Court, (75 Vol., p. 836.)

H. B. No. 992 Mr. Swaim—To amend the act of May 14, 1878, entitled an act relating to civil procedure in Courts of Common Pleas and Superior Courts, in District Courts on appeal, and also the laws relating to procedure in error, mandamus and quo warranto, (75 Vol., p. 597.)

H. B. No. 993—Mr. Palmer—To authorize the Trustees of Rockport township, Cuyahoga county, to transfer certain funds therein named.

H. B. No. 994—Mr. Levering—For the relief of Charles Shedd.

H. B. No. 995—Mr. Seifert—To create two voting precincts in the township of Berne, Fairfield county, Ohio.

H. B. No. 996—Mr. Sullivan of Miami—For the protection of breeders of fine stock.

H. B. No. 997—Mr. Hart—To direct the mode of revivor in certain cases of deceased parties.

H. B. No. 998—Mr. Dalzell—To provide for marking soldiers' graves.

H. B. No. 999—Mr. Levering—To provide for indexing the land records of Morrow county.

H. B. No. 1000—Mr. Klimper—To amend sections nine and ten, of chapter three of an act entitled an act to amend and revise the statutes relating to taxation, to be known as title thirteen, part one of the act to revise and consolidate the general statutes of Ohio, passed May 11, 1875, (Vol. 75, p. 463).

H. B. No. 1001—Mr. Scott—To regulate fishing in streams.

H. B. No. 1002—Mr. Scott—To amend section 447 of the municipal code, and to provide for the licening of bill-posters.

Attest:

L. A. BRUNNER, *Clerk*.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The Speaker of the House of Representatives has, in the presence of the House, signed the following bill:

H. B. No. 801—Mr. Sullivan of Miami—To amend the act of March 12, 1831, entitled an act prescribing the duties of county commissioners, (29 Vol., 291; S. & C., 1854).

Attest:

L. A. BRUNNER, *Clerk*.

The President *pro tem.*, in presence of the Senate, signed said bill.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bills, in which the concurrence of the Senate is requested:

H. B. No. 879—Mr. Cowgill—To authorize the Commissioners of Champaign county to build a bridge across the Pittsburgh, Cincinnati & St. Louis, and the Atlantic & Great Western Railroads, connecting Walnut and Laurel Oak streets, in the city of Urbana, in said county.

H. B. No. 957—Mr. Brown of Putnam—To authorize the Commissioners of Putnam county to issue bonds to raise money to redeem certain outstanding bonds.

H. B. No. 836—Mr. Booth—To amend sections twelve and thirteen, of chapter four, division seven of an act entitled an act to amend, revise and consolidate the statutes relating to municipal corporations, to be known as title twelve, part one of an act to revise and consolidate the general statutes of Ohio, passed May 14, 1878, (Vol. 75, O. L., p. 161.)

H. B. No. 858—Mr. Hayman—To amend an act entitled an act to provide for the control and maintenance of libraries in certain cities, which, at the last federal census had, and which at any subsequent federal census may have a population of ten thousand five hundred and ninety-two, passed and took effect May 14, 1878.

H. B. No. 953—Mr. Wolf—To authorize the village of Logan, Hocking county, Ohio, to erect a building for town-hall, market-house, Mayor's office, village prison, etc., to borrow money and issue bonds therefor.

H. B. No. 958—Mr. Clough—To allow Boards of Education in certain cases to transfer books from public libraries.

H. B. No. 897—Mr. Dunham—To authorize the Trustees of Sandusky township, Sandusky county, Ohio, to issue bonds to the amount of twelve hundred dollars, for the purpose of paying certain indebtedness of said township.

H. B. No. 751—Mr. Mack—To transfer territory for school purposes.

H. B. No. 741—Mr. Parker—To authorize the Commissioners of Brown county to transfer certain funds.

H. B. No. 867—Mr. Dow—To change certain specified times fixed for holding Court of Common Pleas in the counties of Hardin and Logan, for the year A.D. 1879.

H. B. No. 909—Mr. Dunham—Authorizing the County Commissioners of Sandusky county, Ohio, to levy an additional tax for county and poor purposes.

H. B. No. 938—Mr. Turner—To create two election precincts in the township of Clay, Montgomery county.

Attest:

L. A. BRUNNER, *Clerk*.

Said bills were read the first time.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has concurred in Senate amendments to—

H. B. No. 845—Mr. Oglevee—To enable the Commissioners of Clarke, Franklin, Miami, Pickaway and Pike counties to purchase toll-roads and convert the same into free roads.

Attest:

L. A. BRUNNER, *Clerk*.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has concurred in the passage of the following bill:

S. B. No. 315—Mr. Richards—To authorize the county Commissioners of Jefferson county to transfer certain funds therein named.

Attest:

L. A. BRUNNER, *Clerk*.

Mr. Jackson of Clinton submitted the following report:

The standing committee on Roads and Highways, to whom was referred H. B. No. 450—For the improvement of public roads—having

had the same under consideration, report it back, and recommend its passage.

T. S. JACKSON, C. S. PARKER,
J. B. WILLIAMS, J. C. McDONALD.
B. W. CARLISLE,

Said bill was ordered to be engrossed and read the third time to-morrow.

Mr. Beer submitted the following report :

The standing committee on Finance, to whom was referred H. B. No. 942—To authorize the Council of the incorporated village of Madison, Lake county, to borrow money and issue bonds to construct a vault for the reception of the bodies of the dead—having had the same under consideration, report it back, and recommend its passage.

J. SHERRICK, J. M. CARSON,
H. W. CURTISS, THOS. M. BEER.

Said bill was ordered to be engrossed and read the third time to-morrow.

Mr. Forrest, on leave, introduced the following bill, which was read the first time :

S. B. No. 348—To provide against collisions at the intersections of railroad lines.

Mr. Grove submitted the following report :

The standing committee on Reform School and Industrial School for Girls, to whom was referred H. B. No. 875—Supplementary to an act to authorize County Commissioners in certain cases to accept devises and legacies and to erect and maintain an Orphan Asylum in connection with a Children's Home, passed February 11, 1869—having had the same under consideration, report it back, and recommend its passage.

G. A. GROVE, LYMAN J. JACKSON,
B. W. CARLISLE, R. G. RICHARDS,
JOHN SEITZ, THOS. M. BEER.

Said bill was ordered to be engrossed and read the third time to-morrow. On motion of Mr. Beer, the Senate adjourned.

Attest:

ALLEN O. MYERS, *Clerk.*

TUESDAY, April 22, 1879—10 o'clock A.M.

The Senate met pursuant to adjournment.

Prayer by Rev. Wm. J. Davis.

The Journal was read and approved.

The President laid before the Senate a communication from citizens of Athens, Ohio, in reference to investigating the Athens Asylum.

Which was referred to the committee on Benevolent Institutions.

Mr. Howland presented the petition of John Pritchard, Henry Tolcott and 54 other citizens of Ashtabula county, and members of Pomona Grange, No. 71, asking for the passage of a stringent law against tramps, which shall be imprisonment in the penitentiary.

Which was laid on the table, with the bill for that purpose, to be taken up and considered with the bill.

Bills were read the second time and referred, as follows :

H. B. No. 867—Mr. Dow—To change certain specified times fixed for

holding Court of Common Pleas in the counties of Hardin and Logan, for the year A. D. 1879.

Committee on the Judiciary.

H. B. No. 909—Mr. Dunham—Authorizing the County Commissioners of Sandusky county, Ohio, to levy an additional tax for county and poor purposes.

Committee on the Judiciary.

H. B. No. 938—Mr. Turner—To create two election precincts in the township of Clay, Montgomery county.

Committee on Privileges and Elections.

H. B. No. 879 Mr. Cowgill—To authorize the Commissioners of Champaign county to build a bridge across the Pittsburgh, Cincinnati and St. Louis, and the Atlantic and Great Western railroads, connecting Walnut and Laurel Oak streets, in the city of Urbana, in said county.

Committee on Municipal Corporations.

H. B. No. 957—Mr. Brown of Putnam—To authorize the Commissioners of Putnam county to issue bonds to raise money to redeem certain outstanding bonds.

Committee on Finance.

H. B. No. 953—Mr. Wolf—To authorize villages containing a certain number of inhabitants to erect a building for a town-hall, market-house, Mayor's office, village prison, etc., to borrow money and issue bonds therefor.

Committee on Finance.

H. B. No. 836 Booth—To amend sections twelve and thirteen of chapter four, division seven of an act entitled an act to amend, revise and consolidate the statutes relating to municipal corporations, to be known as title twelve, part one of the act to revise and consolidate the general statutes of Ohio, passed May 14, 1878, (Vol. 75, O. L., p. 161.)

Committee on Municipal Corporations.

H. B. No. 858—Mr. Hayman—To amend an act entitled an act to provide for the control and maintenance of libraries in certain cities which, at the last federal census had, and which at any subsequent federal census may have a population of ten thousand five hundred and ninety-two, passed and took effect May 14, 1878.

Committee on Universities, Colleges and Academies.

H. B. No. 958—Mr. Clough—To allow Boards of Education, in certain cases, to transfer books from public libraries.

Committee on Common Schools and School Lands.

H. B. No. 897—Mr. Dunham—To authorize the Trustees of Sandusky township, Sandusky county, Ohio, to issue bonds to the amount of twelve hundred dollars, for the purpose of paying certain indebtedness of said township.

Committee on Finance.

H. B. No. 751—Mr. Mack—To transfer territory.

Committee on Common Schools and School Lands.

H. B. No. 741—Mr. Parker—To authorize the Commissioners of Brown county to transfer certain funds.

Committee on Railroads, Telegraphs and Turnpikes.

S. B. No. 348—Mr. Forrest—To provide against collisions at the intersections of railroad lines.

Committee on Railroads, Telegraphs and Turnpikes.

Substitute for H. B. No. 811—Mr. Elliott—To authorize the Council of

the city of Delaware to issue bonds for the purpose of purchasing a site and erecting thereon a public hall, to be used for public offices, and such other public purposes as the Council may authorize—was read the third time.

Mr. Seitz moved to refer the bill to a select committee of one, with instructions to amend as follows :

Strike out in line 6, section 1, the word "seven", and insert "six".

Which was agreed to, and Mr. Seitz was appointed such committee, and reported the bill back amended as instructed.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 23, nays 4, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Carlisle, Carson, Curtiss, Grove, Howland, Jackson of Clinton, Jackson of Perry, Joy, Lord, Marsh, Owens, Parker, Richards, Sherrick, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—23.

Those who voted in the negative were—

Messrs. Fisher, Irvine, Saltzgaber and Seitz—4.

So the bill passed. The title was agreed to.

H. B. No. 717—Mr. Achauer To amend section seven of an act entitled an act to provide for establishing an insurance department in the State of Ohio, as amended May 5, 1878, (O. L., Vol. 75, p. 576)—was read the third time.

Mr. Steedman moved to re-commit the bill to a select committee of one, with instructions to amend as follows :

Insert in line 5, after the word "or," the following: "upon the affidavit of any reputable citizen, and having good reason to believe."

On which motion the yeas and nays were demanded, taken, and resulted - yeas 20, nays 4, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Carlisle, Curtiss, Dungan, Forrest, Grove, Howland, Jackson of Clinton, Joy, Krimmel, Lord, Saltzgaber, Seitz, Steedman, Tyler, Wagener, Williams and Wilson - 20.

Those who voted in the negative were—

Messrs. Irvine, Jackson of Perry, Marsh and Richards---4.

So the motion was agreed to, and Mr. Steedman was appointed such committee, and reported the bill back amended as instructed.

Mr. Beer moved to refer the bill to a select committee of one, with instructions to amend as follows :

In line 13, after the word "that," insert: "if the affairs of a company are found to be in an unsound condition"; and add at the end of the section the following: "otherwise the expenses shall be paid out of the receipts from the life-insurance companies doing business in this State."

On which motion the yeas and nays were demanded, taken, and resulted—yeas 19, nays 10, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Carlisle, Carson, Curtiss, Forrest, Jackson of Clinton, Joy, Kelley, Krimmel, Lord, Owens, Richards, Steedman, Tyler, Wagener, Williams and Wilson—19.

Those who voted in the negative were—

Messrs. Dungan, Grove, Howland, Irvine, Jackson of Perry, Marsh, Parker, Saltzgaber, Seitz and Sherrick - 10.

So the motion was agreed to, and Mr. Beer was appointed such committee, and reported the bill back amended as instructed.

Mr. Beer moved to refer the bill to a select committee of one, with instructions to amend as follows:

Add at the end of section 1: "payable out of the contingent fund of the office."

Which was agreed to, and Mr. Beer was appointed such committee, and reported the bill back amended as instructed.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 17, nays 12, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Carlisle, Carson, Curtiss, Forrest, Jackson of Clinton, Jackson of Perry, Lord, Parker, Richards, Steedman, Tyler, Wagener, Williams and Wilson—17.

Those who voted in the negative were—

Messrs. Dungan, Grove, Howland, Irvine, Joy, Kelley, Krimmel, Marsh, Owens, Saltzgaber, Seitz and Sherrick—12.

So the bill, having failed to receive a constitutional majority, was lost.

On motion of Mr. Forrest, the Senate proceeded to the special order of the hour, viz:

S. B. No. 271—Mr. Lord—To revise and consolidate the laws relating to private corporations.

The pending question being on Mr. Forrest's motion to amend (Sec. 28) amendment No. 17, the yeas and nays were demanded, taken, and resulted—yeas 15, nays 12, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Carson, Curtiss, Dungan, Forrest, Jackson of Clinton, Joy, Marsh, Parker, Saltzgaber, Seitz, Steedman and Stokes—15.

Those who voted in the negative were—

Messrs. Carlisle, Grove, Howland, Irvine, Jackson of Perry, Kelley, Krimmel, Owens, Richards, Sherrick, Tyler and Wilson—12.

So the motion was agreed to.

Said amendment No. 17, as amended, was then agreed to.

Mr. Curtiss moved to amend said bill as follows:

At the end of section 165, page 87, add: "Provided, the council or commissioners, as the case may be, at any time before the expiration of a previous grant, to occupy any street or highway, may renew the same for a period not exceeding the term for which any original grant may be made, by agreement with the person or company to whom such previous grant was made, or the person or company owning or operating the route, under such original grant, upon such terms and conditions as shall be deemed by them proper and conducive to the public interest; and any such renewal of a grant for a street railway, or for any extension thereof, heretofore made by ordinance of such council, shall be held valid."

Pending which motion, on motion of Mr. Curtiss, the Senate took a recess.

THREE O'CLOCK P.M.

When the Senate took a recess, it had under consideration S. B. No. 271, the pending question being on Mr. Curtiss' motion to amend section 165.

After considerable discussion, by unanimous consent, said amendment was withdrawn.

Mr. Howland moved to amend said bill by adding the following section, to wit: on page 183:

SEC. 58. The cellar and foundation walls shall not be included or considered a part of the building or structure in settling losses, anything in the application or policy to the contrary notwithstanding.

Which was agreed to.

Mr. Saltzgaber moved to further amend said bill as follows:

Page 12, insert as section 41:

SEC. 41. A company may, by a vote of a majority of its stock, at any regular annual meeting of the company, increase the number of directors to any number not greater than fifteen, or decrease the number before or after such increase to any number not below five.

And make section 40 section 42,

Which was agreed to.

Mr. Richards moved to further amend said bill by adding the following section to chapter 1:

SEC. 41½. Every corporation organized under the laws of this state, shall make a statement annually of its financial condition, setting forth its assets and liabilities, and shall furnish to each stockholder a true copy of the same, together with a list of the stockholders thereof, and their place of residence.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 20, nays 5, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Beer, Carlisle, Curtiss, Dungan, Fisher, Forrest, Howland, Jackson of Clinton, Jackson of Perry, Johnston, Joy, Parker, Richards, Sabine, Seitz, Steedman, Stokes, Tyler and Wilson—20.

Those who voted in the negative were—

Messrs. Grove, Kelley, Lord, Saltzgaber and Sherrick—5.

So the motion was agreed to.

Mr. Richards moved to further amend said bill as follows:

Strike out from page 21, section 17, line 2, the word "eight," and insert in lieu thereof the word "seven."

Which was agreed to.

Mr. Wilson moved to further amend said bill as follows: After section 45, page 152, chapter 10, add:

SEC. 46. That every policy of life-insurance issued on and after the date of the passage of this act, by any life-insurance company incorporated under the laws of this state, or by any other life-insurance company doing business in Ohio, upon the life or lives of any person or persons residing in this state, which may be forfeited for non-payment of premiums, including all notes given for premiums or interest thereon, after it shall have been in force three full years, and which shall not contain provision for a surrender value, at least equivalent to the value arising under the terms of this act, shall, nevertheless, be continued in force to an extent, and for a period of time to be determined as follows, to wit: The net value of the policy, when the premium becomes due, and is not paid, shall be ascertained according to the American experience, or actuaries' rate of mortality, with interest at four and one-half per centum per annum, after deducting from three-fourths of such net value any indebtedness to the company, or notes held by the company against the insured, which notes, if given for premium, shall then be canceled, what remains shall be considered as a net single premium of temporary insurance; and the term for which it will insure shall be de-

terminated according to the age of the party at the time of the lapse of the policy and the assumptions of mortality and interest aforesaid. But if the policy shall be an endowment, payable at a certain time, or at death, if it should previously occur, then, if what remains, as aforesaid, shall exceed the net single premium of temporary insurance for the balance of the endowment term for the full amount of the policy, such excess shall be considered as a net single premium or single endowment, payable only at the same time as the original endowment, and in case the life insured survives to such time; and the amount thus payable by the company shall be determined according to the age of the party at the time of the lapse of the policy, and the assumptions of mortality and interest aforesaid. For the purpose of this act, when the premiums upon any policy shall be payable oftener than once in every year, and default shall be made in the payment of any premium, after the policy shall have been in force for three full years, the policy shall be valued in the same manner as it would have been had the whole premium for the policy year last entered upon been paid in full, and the balance of said year's premium actually unpaid shall not be deducted from the reserve as an outstanding indebtedness at the time of default, but shall become a part of the foreborne premium, as hereinafter provided. But the holder of such forfeited policy may receive a paid-up policy in lieu of the benefits secured by this act.

SEC. 47. If the death of the life insured occur within the term of temporary insurance covered by the value of the policy, as determined in the previous section, and if no condition of the insurance, other than the payment of premium, has been violated by the insured, the company shall be bound to pay the amount of the policy the same as if there had been no lapse of premium, anything in the policy to the contrary notwithstanding; Provided, however, that notice of the claim and proof of the death shall be submitted to the company, in the same manner as provided by the terms of the policy, within ninety days after the decease; and provided also, that the company shall have the right to deduct from the amount insured in the policy the amount compounded at seven per centum per annum of all the premiums that had been foreborne at the time of the death, including the whole of the year's premium in which the death occurs.

Which was agreed to.

Mr. Forrest moved to further amend said bill as follows:

Page 152, in next to last line of section 44, insert between the words "and" and "shall," the words "such associations."

Which was agreed to.

Mr. Forrest moved to further amend said bill as follows:

Page 94, on line 17, after the word "cents," strike out all to end of section, and insert: "but on all turnpike roads requiring two-thirds of the necessary repairs to be made with broken stone, the companies operating the same may charge and receive for each ten miles of travel on such road, and in the same proportion for any less distance, for every four-wheeled carriage or other vehicle drawn by one horse or other animal, twenty cents, and for each additional animal, ten cents; for every sled or sleigh drawn by one horse or other animal, ten cents, and each additional animal, five cents; for every horse, mule and rider, ten cents; for every horse, mule, or ass six months old or upwards, five cents; for every head of neat cattle six months old or upwards, one and a half

cents; for every head of hogs, three-fourths of a cent; for every head of sheep, one-half cent; for every stage-coach or omnibus drawn by two horses or other animals, forty cents; for each additional animal, ten cents; for every two-wheeled carriage drawn by one horse, fifteen cents: provided, that on all the toll-roads in this state any person or persons going to and from their regular place of worship on the sabbath, funerals, militia musters, elections, jurymen going to and returning from their attendance at court, the troops and armies of the United States and of this state, may pass on any such turnpike or plank road free of toll."

Which was agreed to.

Mr. Owens moved to further amend said bill as follows: On page 28, strike out section 36, and insert the following:

SEC. 36. No company shall lease its road to any other company, unless such other company is, or shall become an organized corporation of this state, before the making of such lease as hereinbefore provided, nor unless the lessor receive full and adequate security for the payment of the rental, and for the preservation of the property of the lessor in as good condition as on entering into possession; and, if the lessor fail to pay such rental promptly when due, then said lease shall be void, at the option of the lessor.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 11, nays 13, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Carson, Dungan, Fisher, Forrest, Jackson of Perry, Johnston, Krimmel, Steedman, Stokes and Tyler—11.

Those who voted in the negative were—

Messrs. Curtiss, Howland, Jackson of Clinton, Kelley, Lord, Marsh, Parker, Richards, Sabine, Saltzgaber, Seitz, Sherrick and Wilson—13.

So the motion was disagreed to.

Mr. Owens moved to further amend said bill as follows:

On page 74, section 152, after the word "corporation", in line 7, insert: "of this state, amenable to its process and".

Which was disagreed to.

Mr. Dungan moved to further amend said bill as follows:

Page 224, chapter 16, amend the title of the chapter by striking out "and other banking."

Which was agreed to.

Mr. Dungan moved to further amend said bill as follows:

Page 240, section 16, paragraph 4, line 1, strike out "authorized", and insert "subscribed".

Mr. Jackson of Perry moved to amend said amendment as follows:

Page 240, sub-division 4, section 16, after the word "stock", in line 2, insert: "actually subscribed and paid".

On which motion the yeas and nays were demanded, taken, and resulted—yeas 12, nays 14, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Dungan, Forrest, Jackson of Perry, Joy, Krimmel, Lord, Marsh, Richards, Seitz, Steedman and Stokes—12.

Those who voted in the negative were—

Messrs. Beer, Carlisle, Carson, Curtiss, Fisher, Grove, Howland, Jackson of Clinton, Johnston, Kelley, Sabine, Saltzgaber, Sherrick and Wilson—14.

So the motion was disagreed to.

The amendment of Mr. Dungan was then disagreed to.

Mr. Jackson of Perry moved to strike out section 31, chapter 1, page 26. Which was disagreed to.

Mr. Dungan moved to further amend said bill as follows:

Page 226, section 8, lines 9 and 10, strike out "the rate allowed by law," and insert: "four per cent."

On which motion the yeas and nays were demanded, taken, and resulted—yeas 6, nays 20, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Dungan, Forrest, Joy, Lord and Saltzgaber—6.

Those who voted in the negative were—

Messrs. Beebe, Beer, Carlisle, Carson, Curtiss, Grove, Howland, Jackson of Clinton, Johnston, Kelley, Krimmel, Marsh, McDonald, Parker, Richards, Sabine, Seitz, Stokes, Tyler and Wilson—20.

So the motion was disagreed to.

Mr. Curtiss moved that said bill be engrossed and read the third time to-morrow.

Mr. Forrest moved to amend said motion by striking out "to-morrow", and inserting "now."

The question being on Mr. Curtiss' motion, the yeas and nays were demanded, taken, and resulted—yeas 15, nays 14, as follow:

Those who voted in the affirmative were—

Messrs. Beebe, Beer, Curtiss, Howland, Jackson of Clinton, Jackson of Perry, Johnston, Kelley, Krimmel, Lord, Marsh, McDonald, Richards, Sabine and Wilson—15.

Those who voted in the negative were—

Messrs. Armstrong, Carlisle, Carson, Dungan, Forrest, Grove, Irvine, Joy, Parker, Saltzgaber, Sherrick, Steedman, Stokes and Tyler—14.

So the motion was agreed to.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has concurred in the passage of the following bill:

S. B. No. 329—Mr. Tyler—To authorize the Commissioners of Brown county, Ohio, to construct certain free turnpike roads—with the following amendment, in which the concurrence of the Senate is requested:

In section 1, line 18, strike out the word "Dawson", and insert "Davidson".

Attest:

L. A. BRUNNER, *Clerk.*

The question being on agreeing to said House amendment, the yeas and nays were taken, and resulted—yeas 27, nays none, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Carlisle, Carson, Curtiss, Dungan, Forrest, Grove, Howland, Irvine, Jackson of Clinton, Jackson of Perry, Johnston, Joy, Kelley, Krimmel, Lord, Marsh, McDonald, Richards, Sabine, Steedman, Stokes, Tyler, Williams and Wilson—27.

So the Senate agreed to said House amendment.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The House of Representatives has concurred in the passage of the following bill :

S. B. No. 307—Mr. Forrest—To establish a quarantine in certain cities, and for other purposes.

Attest :

L. A. BRUNNER, *Clerk.*

Mr. Carson submitted the following report :

The committee on Revision has examined, and found correctly engrossed, Substitute for H. B. No. 811.

J. M. CARSON,
G. M. SALTZGABER.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The House of Representatives has passed the following bills, in which the concurrence of the Senate is requested :

H. B. No. 865—Mr. Sheets—To authorize the Trustees of Findlay township, Hancock county, to levy a tax to macadamize and improve the roads and highways in said township.

H. B. No. 911—Mr. Stubbs—To divide Gratis township, Preble county, into two voting precincts.

Attest :

L. A. BRUNNER, *Clerk.*

Said bills were read the first time.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The House of Representatives has concurred in the passage of the following bill :

S. B. No. 205—Mr. Forrest Revising the statutes relating to the judicial department—with the following amendments, in which the concurrence of the Senate is requested :

1. Page 189, chapter 3 :

SEC. 3. The clerk of the court of common pleas of each county, on the receipt of any such original or amendatory order, shall immediately enter the same upon the journals of the common pleas and district courts in such county, and such entries shall be sufficient evidence as to the legal terms for holding the courts as therein ordered ; and such clerk shall also cause a copy of the order, certified by him, to be published in one or more newspapers of general circulation in such county (for such time as the judges in such order may direct), the first publication to be made the first week after the receipt of such order : provided, that not less than three terms of the court of common pleas shall be held in any county each year, (64 Vol., 235, § 9).

3. Page 199, chapter 4 :

SEC. 10. A general term of said court may be held by any two of the judges thereof, and a special term by any one of them ; and general

or special terms, one or more of them, may be held at the same time, as the judges of said court may direct.

4. Page 199, chapter 4:

SEC. 11. In case said court shall not be formed at any time, or any term thereof shall be interrupted by reason of the non-attendance of the judge, the clerk of the court may adjourn the same from day to day, or until the next term, and all process and other proceedings shall be continued over accordingly, (52 Vol., 34, § 12).

9. Page 234, chapter 9:

SEC. 2. When a vacancy happens in the office of justice of the peace in any township of the state, either by death, removal, absence at any one time for the space of six months, resignation, refusal to serve, or otherwise, the trustees, having notice thereof, shall give notice to the electors of such township to fill such vacancy, by setting up advertisements in three public places in the township, specifying the number of justices to be elected, and the time of such election; which notice shall be given not less than fifteen nor more than twenty days previous to holding such election, which shall be held at the usual place of holding elections; and the clerk of the court of common pleas, in certifying to the secretary of state the election of a justice of the peace to fill any vacancy, as aforesaid, shall specify in his certificate the name of the justice of the peace whose place is supplied by the person whose election is certified to, and also the date when such vacancy occurred; and to enable the clerk of the court to comply with so much of this section as relates to his duties, the trustees shall notify him of any vacancy, as aforesaid, and the date when it occurred; and in case the election of an additional justice of the peace in any township is authorized by the proper authority, the clerk of the court, in certifying his election to the secretary of state, shall state in his certificate that he is such additional justice of the peace so authorized and elected, (66 Vol., 142, § 2.)

7. Page 229, chapter 8:

SECTION 1. No person shall be permitted to practice as an attorney and counselor at law, or to commence, conduct, or defend any action or proceeding in which he is not a party concerned, either by using or subscribing his own name, or the name of any other person, unless he has been previously admitted to the bar by order of the supreme court, or of two judges thereof, and the court shall fix times when examinations shall take place, which may be either in term or vacation, and shall prescribe and publish rules to govern such examinations, (29 Vol., 411, § 1.)

2. Page 194, division 4:

SEC. 20. The judges of the courts of common pleas in all counties in this state containing cities of thirty thousand inhabitants or over, by the last federal census, shall appoint two stenographic reporters skilled in their profession, to be the official stenographers of such courts, and in all other counties, when in the opinion of the court, the business requires one, who shall hold their office for the term of three years from the date of their appointment and until their successors are appointed and qualified, unless they, or either of them, be removed by the judges for neglect of duty, misconduct, or incompetency, and where there now is or hereafter may be a superior court in such county, the judges of such court and of the court of common pleas in such county, shall jointly make the appointments therein provided for: such official stenographers shall take an oath that they will faithfully discharge the duties of their office, (75 Vol., 142, § 1.)

5. Page 203, chapter 4 :

SEC. 22. That it shall be lawful for any judge of the superior court of Cincinnati, sitting in special term, to reserve and adjourn for the decision of the said court in general term any questions of law or fact arising in any case upon the record, or upon evidence in writing, and when the decision of such questions authorizes or requires a final order or judgment, the same may be entered by the court in general term, and either party shall have the same right of exception, or review on error, as if the case had been remanded, the order or judgment entered at special term, and been there excepted to and affirmed at the general term, (45 Vol., 1, § 2.)

6. Page 224, end of chapter 6 :

SEC. 27. When the wife of an idiot, lunatic, or insane person, who has been declared to be such by inquest according to law, is the legal or equitable owner of real estate in this state which she desires to sell, convey, or mortgage during the disability of her husband, she may apply by petition to the court of common pleas of the county in which the real estate is situate for leave to sell, by contract, or conveyance, or to mortgage, all or any part of such real estate, which petition shall set forth the insanity, idiocy, or lunacy of the husband, as the case may be, together with a description of the land which she desires to sell, convey, or mortgage, (54 Vol., 218, § 1.)

SEC. 28. The guardian of such husband shall be made a party to the action, and shall be required to state any reason he may know why the petition should not be granted; upon satisfactory proof that the sale or mortgage of such land will be for the benefit of such married woman, the court shall authorize her to sell, mortgage, or convey, the premises in the petition described, upon such terms, and upon such conditions as to the disposition of the money arising therefrom, as the court may direct; such sale, conveyance, or mortgage, shall have the same force and effect as though made by a femme sole; and all right, title, and interest of such husband in such lands and tenements, shall be forever thereafter barred, (54 Vol., 218, § 2.)

8. Page 229, chapter 8 :

SEC. 2. When a person applies to said court for admission to the bar, he shall be examined by the court or two of the judges, touching his fitness and qualifications; and if on such examination the court or judges are satisfied that he is of good moral character, and has a competent knowledge of the law, and sufficient general learning, an oath of office shall be administered to him, and an order shall be made on the journal that the applicant be admitted to practice as an attorney and counselor at law in all the courts of record of this state, (29 Vol., 411, § 2.)

10. Page 239, chapter 9 :

SEC. 16. Every justice of the peace when commissioned shall, in thirty days thereafter, transmit the date thereof to the clerk of the township, who shall make an entry thereof in a book by him to be provided for that purpose, and at least six months previous to the expiration of such commission, the clerk shall give a written notice to the trustees when such justice's commission will expire, and the trustees, on receiving such notice, shall notify the electors of such township to elect, at the next regular spring or fall election thereafter (as the case may be), a justice of the peace to fill such vacancy, in the manner pointed out in the second section of this chapter, and the trustees may hold an election before the vacancy actually happens, (51 Vol., 405, § 13.)

Attest :

L. A. BRUNNER, *Clerk.*

On motion of Mr. Forrest, said bill and amendments were referred to the committee on the Judiciary.

Mr. Jackson of Perry moved that the vote whereby H. B. No. 717 was lost be reconsidered.

Which was agreed to.

On motion of Mr. Jackson of Perry, a message was directed to be sent to the House requesting the return of said bill.

Mr. Lord moved that the Senate adjourn.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 12, nays 17, as follow :

Those who voted in the affirmative were—

Messrs. Beebe, Beer, Curtiss, Howland, Jackson of Clinton, Johnston, Kelley, Lord, Marsh, Richards, Sabine and Wilson—12.

Those who voted in the negative were—

Messrs. Armstrong, Carlisle, Carson, Dungan, Forrest, Grove, Jackson of Perry, Joy, Krimmel, McDonald, Parker, Saltzgaber, Seitz, Sherrick, Stokes, Tyler and Williams—17.

So the motion was disagreed to.

Mr. Richards submitted the following report :

The joint committee on Enrollment has examined, and found correctly enrolled, the following bill :

S. B. No. 315—To authorize the County Commissioners of Jefferson county to transfer certain funds therein named.

R. G. RICHARDS,	WM. JESSUP,
IRVINE DUNGAN,	F. M. CARTER,
C. F. KRIMMEL,	C. R. HARMON,
J. R. JOHNSTON,	E. S. PERKINS,
J. W. WASHBURN,	DUNCAN DOW.

Mr. Joy moved that the Senate take a recess until 7:30 this evening.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 12, nays 16, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Carson, Dungan, Forrest, Grove, Joy, Parker, Saltzgaber, Seitz, Sherrick, Stokes and Williams—12.

Those who voted in the negative were—

Messrs. Beebe, Beer, Carlisle, Curtiss, Howland, Jackson of Clinton, Jackson of Perry, Johnston, Kelley, Lord, Marsh, McDonald, Richards, Sabine, Tyler and Wilson—16.

So the motion was disagreed to.

Mr. Richards moved that the Senate take a recess until 10 o'clock to-morrow morning.

Mr. Seitz moved that the Senate adjourn until 9 o'clock to-morrow morning.

Which was agreed to, and the Senate adjourned.

Attest: ALLEN O. MYERS, *Clerk.*

WEDNESDAY, April 23, 1879—9 o'clock A.M.

The Senate met pursuant to adjournment.

The Journal was read and approved.

Mr. Richards presented the petition of L. B. Woodward and 50 other citizens of Ohio, for an early adjournment of the Legislature.

Which was referred to the committee on Unfinished Business.

Mr. Johnston presented the petition of M. A. Quilty and 81 other citizens of Trumbull county, asking for the passage of H. B. No. 621, by Mr. Edwards.

Which was referred to the committee on Mines and Mining.

Bills were read the second time and referred, as follows :

H. B. No. 865—Mr. Sheets—To authorize the Trustees of Findlay township, Hancock county, to levy a tax to macadamize and improve the roads and highways in said township.

Committee on Roads and Highways.

H. B. No. 911—Mr. Stubbs—To divide Gratis township, Preble county, into two voting precincts.

Committee on Privileges and Elections.

H. B. No. 643—Mr. Groschner—Revising the statutes relating to the legislative department—was read the third time.

Mr. Wilson moved to refer the bill to a select committee of one, with instructions to amend as follows :

Section 17, page 15, after the word "for", in line 2, strike out all to and including the word "dollars", in lines 2 and 3, and insert: "his term of office, the sum of one thousand dollars, one-half thereof to be received each year, in monthly installments of not exceeding one hundred and fifty dollars." At the end of the section add: "but if any member is absent without excuse, or is not excused on his return, there shall be deducted from his said compensation the sum of five dollars for each day of his absence."

Mr. Curtiss moved to amend said instructions by striking out the words "one thousand," and inserting in lieu thereof the words "twelve hundred."

On which motion the yeas and nays were demanded, taken, and resulted—yeas 9, nays 21, as follow :

Those who voted in the affirmative were—

Messrs. Beer, Curtiss, Dungan, Jackson of Perry, Johnston, Lord, Owens, Saltzgaber and Tyler—9.

Those who voted in the negative were —

Messrs. Beebe, Carlisle, Carson, Fisher, Forrest, Grove, Howland, Jackson of Clinton, Joy, Kelley, Krimmel, Marsh, McDonald, Parker, Sabine, Seitz, Sherrick, Steedman, Wagener, Williams and Wilson—21.

So the motion was disagreed to.

The question recurring on Mr. Wilson's amendment, the yeas and nays were demanded, taken, and resulted—yeas 19, nays 11, as follow :

Those who voted in the affirmative were—

Messrs. Beebe, Beer, Carson, Dungan, Fisher, Howland, Irvine, Jackson of Clinton, Jackson of Perry, Johnston, Kelley, Richards, Sabine, Saltzgaber, Seitz, Sherrick, Stokes, Tyler and Wilson—19.

Those who voted in the negative were—

Messrs. Carlisle, Forrest, Grove, Joy, Lord, Marsh, Owens, Parker, Steedman, Wagener and Williams—11.

So the amendment was agreed to, and Mr. Wilson was appointed such committee, and reported the bill back amended as instructed.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 27, nays 3, as follow :

Those who voted in the affirmative were—

Messrs. Beebe, Beer, Carlisle, Curtiss, Dungan, Fisher, Forrest, How-

land, Irvine, Jackson of Clinton, Johnston, Kelley, Lord, Marsh, McDonald, Owens, Parker, Richards, Sabine, Saltzgaber, Seitz, Sherrick, Steedman, Stokes, Tyler, Williams and Wilson—27.

Those who voted in the negative were—

Messrs. Grove, Joy and Krimmel—3.

So the bill passed. The title was agreed to.

H. B. No. 830—Mr. Crosson—To authorize the Commissioners of Clermont county to levy a tax—was read the third time.

The question being “Shall the bill pass?” the yeas and nays were taken, and resulted—yeas 25; nays 1, as follow:

Those who voted in the affirmative were—

Messrs. Beebe, Beer, Carlisle, Curtiss, Dungan, Fisher, Grove, Irvine, Jackson of Clinton, Johnston, Joy, Kelley, Krimmel, Lord, Marsh, McDonald, Owens, Parker, Richards, Sabine, Steedman, Stokes, Tyler, Williams and Wilson—25.

Mr. Wagener voted in the negative.

So the bill passed. The title was agreed to.

H. B. No. 747—Mr. Hardy of Defiance—Authorizing the Board of Public Works to grant or lease the south bank of Six-mile Reservoir, in Paulding county, to the Paulding and Antwerp Railroad Company, for a road-bed, under certain restrictions—was read the third time.

The question being “Shall the bill pass?” the yeas and nays were taken, and resulted yeas 22, nays 3, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Curtiss, Grove, Jackson of Clinton, Jackson of Perry, Johnston, Joy, Krimmel, Lord, Marsh, McDonald, Owens, Parker, Saltzgaber, Seitz, Sherrick, Steedman, Tyler, Williams and Wilson—22.

Those who voted in the negative were—

Messrs. Carlisle, Fisher and Wagener—3.

So the bill passed. The title was agreed to.

H. B. No. 875—Mr. Wales—Supplementary to an act entitled an act to authorize County Commissioners in certain cases to accept devises and legacies and to erect and maintain an Orphan’ Asylum in connection with a Children’s Home, passed February 11, 1869—was read the third time.

On motion of Mr. Johnston, said bill was laid on the table.

H. B. No. 450—Mr. Greene—For the improvement of common roads—was read the third time.

The question being “Shall the bill pass?” the yeas and nays were taken, and resulted—yeas 26, nays 2, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Carlisle, Carson, Curtiss, Dungan, Fisher, Grove, Howland, Jackson of Clinton, Jackson of Perry, Johnston, Joy, Kelley, McDonald, Owens, Parker, Richards, Sabine, Seitz, Stokes, Tyler, Wagener, Williams and Wilson—26.

Those who voted in the negative were—

Messrs. Forrest and Saltzgaber—2.

So the bill passed. The title was agreed to.

H. B. No. 942—Mr. Smead—To authorize the Council of the incorporated village of Madison, Lake county, to borrow money and issue bonds to construct a vault for the reception of the bodies of the dead—was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 22, nays 5, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Carlisle, Curtiss, Dungan, Grove, Howland, Jackson of Clinton, Jackson of Perry, Johnston, Kelley, McDonald, Owens, Parker, Richards, Sabine, Steedman, Stokes, Tyler, Williams and Wilson—22.

Those who voted in the negative were—

Messrs. Carson, Fisher, Forrest, Joy and Wagener—5.

So the bill passed. The title was agreed to.

Mr. Johnston moved that H. B. No. 875 be taken from the table.

Which was agreed to.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 25, nays 1, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Carlisle, Curtiss, Forrest, Grove, Howland, Jackson of Clinton, Jackson of Perry, Johnston, Kelley, Marsh, McDonald, Owens, Richards, Sabine, Saltzgaber, Seitz, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—25.

Mr. Carson voted in the negative.

So the bill passed. The title was agreed to.

S. B. No. 216—Mr. Owens—Revising and consolidating the statutes relating to the benevolent institutions of the State—was taken up, and pending the third reading of which—

On motion of Mr. Curtiss, the Senate took a recess.

THREE O'CLOCK P.M.

When the Senate took a recess, it had under consideration S. B. No. 216, the third reading of which was pending.

The third reading of said bill was then continued and concluded.

Mr. Marsh moved to refer the bill to a select committee of one, with instructions to amend as follows :

At the end of section 10, page 308, add the following : "he shall employ or direct the employment of attendants, nurses, servants, and such other persons as he deems necessary for the efficient and economical management of the asylum, assign them their respective places and duties, and he may at any time discharge or direct the Steward to discharge any of them from service."

Which was agreed to, and Mr. Marsh was appointed such committee, and reported the bill back amended as instructed.

Mr. Johnston moved to refer the bill to a select committee of one, with instructions to amend as follows :

In line 1, of section 8, of chapter 8, page 307, strike out the word "may," and insert the following : "shall, upon the recommendation of the superintendent"; and in lines 2 and 3, of same section, strike out the following : "except the superintendent."

On which motion the yeas and nays were demanded, taken, and resulted yeas 18, nays 14, as follow :

Those who voted in the affirmative were—

Messrs. Beebe, Beer, Carlisle, Curtiss, Howland, Jackson of Clinton, Johnston, Kelley, Lord, Marsh, Owens, Richards, Sabine, Steedman, Tyler, Wagener, Williams and Wilson—18.

Those who voted in the negative were—

Messrs. Armstrong, Carson, Dungan, Fisher, Forrest, Grove, Irvine, Jackson of Perry, Joy, Krimmel, McDonald, Saltzgaber, Seitz and Sherrick—14.

So the motion was agreed to, and Mr. Johnston was appointed such committee, and reported the bill back amended as instructed.

Mr. Carlisle moved to refer the bill to a select committee of one, with instructions to amend as follows :

Page 315, chapter 9, section 2, strike out all of section after the word “board,” in line 9, and insert: “The board shall appoint a superintendent, who shall hold his office for three years, unless sooner removed for cause, and he shall appoint by and with the advice and consent of the board, such other officers as in his judgment and the judgment of the board the wants of the institution may require, and prescribe the duties of said officers, and determine their salaries respectively. The superintendent shall have full power to remove said officers whenever in his judgment the good of the institution requires it, and shall have general supervision over the institution.”

On which motion the yeas and nays were demanded, taken, and resulted—yeas 19, nays 6, as follow :

Those who voted in the affirmative were —

Messrs. Armstrong, Beebe, Carlisle, Carson, Curtiss, Forrest, Jackson of Clinton, Johnston, Joy, Kelley, Marsh, McDonald, Owens, Richards, Sabine, Steedman, Tyler, Wagener and Wilson—19.

Those who voted in the negative were—

Messrs. Dungan, Fisher, Grove, Saltzgaber, Seitz and Williams—6.

So the motion was agreed to, and Mr. Carlisle was appointed such committee, and reported the bill back amended as instructed.

Mr. Carson moved to refer the bill to a select committee of one, with instructions to amend as follows :

On page 292, chapter 7, section 12, line 7, after the word “exceeding”, insert the following words: “nine hundred dollars per annum or.”

Which was agreed to, and Mr. Carson appointed such committee, and reported the bill back amended as instructed.

Mr. Owens moved to refer the bill to a select committee of one, with instructions to amend as follows :

On page 274, in line 3, of section 14, of chapter 4, strike out the words “except for special reasons”: and insert instead, “except indigent orphans.”

Which was agreed to, and Mr. Owens was appointed such committee, and reported the bill back amended as instructed.

Mr. Fisher moved to refer the bill to a select committee of one, with instructions to amend as follows :

At end of section 26, chapter 7, page 300, add: “and the probate judge shall ascertain and fix the allowance to the person executing such warrant for expenses and fees, and certify the same to the county auditor, who shall draw his warrant therefor on the county treasury.”

Which was agreed to, and Mr. Fisher was appointed such committee, and reported the bill back amended as instructed.

Mr. Sabine moved to refer the bill to a select committee of one, with instructions to amend as follows :

Page 263, add to section 3: “and the superintendent shall annually, in his report to the Governor, make a statement of the entire amount ex-

pended for said institution in real estate purchases and in the building thereon; he shall show in such report the annual cost *per capita* of the inmates; he shall show the annual cost *per capita* of the inmates in the official management; he shall also show the percentage of entries, discharges and cures in said report."

Which was agreed to, and Mr. Sabine was appointed such committee, and reported the bill back amended as instructed.

Mr. Owens moved to refer the bill to a select committee of one, with instructions to amend as follows:

On page 261, in section 2, chapter 2—"Board of State Charities"—After the word "administration", in 11th line, add: "and upon the request of the Governor, they shall make special examinations into the condition, and management of such public institutions, or any or either of them; and for such purpose they shall have power to send for persons and papers and take depositions under oath, and they shall report to the Governor the result of all such examinations, with the testimony taken therein; and all officers in charge of public institutions shall furnish to the board such statistical information as it may require, and upon such blanks as may be furnished by the board."

On which motion the yeas and nays were demanded, taken, and resulted—yeas 7, nays 21, as follow:

Those who voted in the affirmative were—

Messrs. Beebe, Beer, Curtiss, Fisher, Jackson of Clinton, Krimmel and Owens—7.

Those who voted in the negative were—

Messrs. Armstrong, Carlisle, Forrest, Grove, Irvine, Johnston, Kelley, Lord, Marsh, McDonald, Parker, Richards, Sabine, Saltzgaber, Seitz, Sherrick, Steedman, Stokes, Tyler, Williams and Wilson—21.

So the motion was disagreed to.

Mr. Owens moved to refer the bill to a select committee of one, with instructions to amend as follows:

On page 261, chapter 2—"Board of State Charities"—section 2, in last line of said section, strike out the word "may," and insert the word "shall"; and strike out the word "approval," and insert the word "criticism."

Which was agreed to, and Mr. Owens was appointed such committee, and reported the bill back amended as instructed.

Mr. Sabine moved to refer the bill to a select committee of one, with instructions to amend as follows:

Add to section 5, page 270: "The superintendent shall annually, in his report to the Governor, make a statement of the entire amount expended for said institution, in real estate purchases and in the buildings thereon; he shall show in such report the annual cost *per capita* of the inmates; he shall show the annual cost *per capita* of the inmates in the official management; he shall also show the percentage of entries, discharges and cures in said report."

Which was agreed to, and Mr. Sabine was appointed such committee, and reported the bill back amended as instructed.

Mr. Tyler moved to refer the bill to a select committee of one, with instructions to amend as follows:

Strike out all of chapter 2, on pages 260 and 261.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 17, nays 14, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Fisher, Forrest, Irvine, Jackson of Perry, Krimmel, Lord, Marsh, McDonald, Parker, Saltzgaber, Seitz, Sherrick, Steedman, Stokes, Tyler and Wagener—17.

Those who voted in the negative were—

Messrs. Beebe, Beer, Carlisle, Curtiss, Grove, Howland, Jackson of Clinton, Johnston, Kelley, Owens, Richards, Sabine, Williams and Wilson—14.

So the motion was agreed to, and Mr. Tyler was appointed such committee, and reported the bill back amended as instructed.

Mr. Sabine moved to refer the bill to a select committee of one, with instructions to amend as follows:

Page 316, add new section after section 4:

SEC. 5. The superintendent shall annually, in his report to the Governor, make a statement of the entire amount expended for said institution in real estate purchases and in the buildings thereon; he shall show in such report the annual cost *per capita* of the inmates; he shall show the annual cost *per capita* of the inmates in the official management; he shall also show the percentage of entries, discharges and reforms.

Which was agreed to, and Mr. Sabine was appointed such committee, and reported the bill back amended as instructed.

On motion of Mr. Saltzgaber, said S. B. No. 216 was then informally passed.

Mr. Howland moved that the consideration of S. B. No. 271 be postponed until to-morrow morning at 9 o'clock.

Pending which, on demand of Mr. Saltzgaber, a call of the Senate was had.

Thirty-one Senators answered to their names.

Messrs. Benson, Carlisle, Carson and Joy were absent.

Mr. Forrest moved that further proceedings under the call be dispensed with.

Which was agreed to.

The question recurring on Mr. Howland's motion, the yeas and nays were demanded, taken, and resulted—yeas 7, nays 19, as follow:

Those who voted in the affirmative were—

Messrs. Beebe, Howland, Jackson of Clinton, Johnston, Kelley, Lord and Sabine—7.

Those who voted in the negative were—

Messrs. Armstrong, Curtiss, Dungan, Fisher, Forrest, Grove, Krimmel, Marsh, Owens, Parker, Saltzgaber, Seitz, Sherrick, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—19.

So the motion was disagreed to.

Mr. Johnston moved that the rules be suspended, in order that Mr. Beer might introduce a resolution.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 23, nays 3, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Curtiss, Grove, Howland, Irvine, Jackson of Clinton, Jackson of Perry, Johnston, Kelley, Lord, Marsh, McDonald, Owens, Richards, Sabine, Sherrick, Steedman, Tyler, Wagener, Williams and Wilson—23.

Those who voted in the negative were—

Messrs. Fisher, Forrest and Saltzgaber—3.

So the motion was agreed to.

Mr. Beer then offered the following resolution :

S. R. No. 93: *Resolved*, That, in honor of the memory of the distinguished patriot and soldier, John A. Dix, author of the sentiment: "If any man attempts to pull down the American flag, shoot him on the spot," that the flag of the Senate be placed at half-mast during to-morrow, the day of his funeral.

Mr. Dungan moved that the words from the word "author," in line 3, to and including the word "spot," in line 6, be stricken out.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 18, nays 12, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Carlisle, Dungan, Fisher, Forrest, Grove, Irvine, Krimmel, Marsh, McDonald, Saltzgaber, Seitz, Sherrick, Steedman, Stokes, Tyler, Wagener and Williams—18.

Those who voted in the negative were—

Messrs. Beebe, Beer, Curtiss, Howland, Jackson of Perry, Johnston, Kelley, Lord, Owens, Richards, Sabine and Wilson—12.

So the motion was agreed to.

The question then being on the adoption of the resolution as amended, the yeas and nays were taken, and resulted—yeas 32, nays none, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Carlisle, Curtiss, Dungan, Fisher, Forrest, Grove, Howland, Irvine, Jackson of Clinton, Jackson of Perry, Johnston, Kelley, Krimmel, Lord, Marsh, McDonald, Owens, Parker, Richards, Sabine, Saltzgaber, Seitz, Sherrick, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—32.

So said resolution was adopted.

The regular order was then proceeded with, viz. :

S. B. No. 271 Mr. Lord—To revise and consolidate the laws relating to private corporations.

Said bill was read the third time.

On motion of Mr. Saltzgaber, the Senate took a recess until 9 o'clock to-morrow morning.

THURSDAY, April 24, 1879—9 o'clock A.M.

The Senate met pursuant to recess.

When the Senate took a recess, it had under consideration S. B. No. 271, the question being on its passage.

On motion of Mr. Owens, said bill was laid on the table.

Mr. Dungan submitted the following report :

The joint committee on Enrollment has examined, and found correctly enrolled, the following bills :

S. B. No. 307—To establish a quarantine in certain cities and for other purposes.

S. B. No. 329—To authorize the Commissioners of Brown county, Ohio, to construct certain free turnpike roads.

H. B. No. 845—To enable the Commissioners of Clarke, Franklin, Miami,

Pickaway and Pike counties to purchase toll-roads and convert the same into free roads.

H. B. No. 812—To provide for the straightening, clearing out, widening, deepening and otherwise improving Mud creek and Greenville creek, also their tributaries, in Darke county, Ohio.

H. B. No. 942—To authorize the Council of the incorporated village of Madison, Lake county, to borrow money and issue bonds to construct a vault for the reception of the bodies of the dead.

H. B. No. 450—For the improvement of public roads.

Substitute for H. B. No. 811—To authorize the Council of the city of Delaware to issue bonds for the purpose of purchasing a site and erecting thereon a public hall to be used for public offices and such other public purposes as the Council may authorize.

H. B. No. 830---To authorize the Commissioners of Clermont county to levy a tax.

IRVINE DUNGAN,	E. S. PERKINS,
C. F. KRIMMEL,	J. R. JOHNSTON,
R. G. RICHARDS,	C. R. HARMON,
F. M. CARTER,	WM. JESSUP.
DUNCAN DOW,	

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The Speaker of the House of Representatives has, in the presence of the House, signed the following bills:

S. B. No. 307—Mr. Forrest—To establish a quarantine in certain cities, and for other purposes.

S. B. No. 329—Mr. Tyler—To authorize the Commissioners of Brown county, Ohio, to construct certain free turnpikes.

H. B. No. 845—Mr. Oglevee—To enable the Commissioners of Clark, Franklin, Miami, Pickaway and Pike counties to purchase toll-roads and convert the same into free roads.

H. B. No. 812—Mr. Hostetter—To provide for the staightening, clearing out, widening, deepening, and otherwise improving Mud creek and Greenville creek, also their tributaries, in Darke county, Ohio.

H. B. No. 942—Mr. Smead - To authorize the Council of the incorporated village of Madison, Lake county, to borrow money and issue bonds to construct a vault for the reception of the bodies of the dead.

H. B. No. 450—Mr. Greene—For the improvement of public roads.

H. B. No. 811—Mr. Elliott—To authorize the Council of the city of Delaware to issue bonds for the purpose of purchasing a site and erecting thereon a building for an engine-house, Mayor's office, Council-room, city prison and armory.

S. B. No. 315—Mr. Richards—To authorize the county Commissioners of Jefferson county to transfer certain funds therein named.

Attest:

L. A. BRUNNER, *Clerk.*

The President, in presence of the Senate, signed said bills.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bills, in which the concurrence of the Senate is requested:

H. B. No. 882—Mr. Booth—To provide for the re-recording of destroyed and spoliated records.

H. B. No. 928—Mr. Meuser—To authorize certain municipal corporations to issue bonds to raise money to construct water-works.

H. B. No. 986—Mr. Oglevee—Supplementary to an act to authorize the Trustees of Madison township, Clarke county, Ohio, to join with the Council of the incorporated village of South Charleston in the construction of a town-hall, for the joint use of said township and village, passed April 8, 1876, (O. L., Vol. 75, pp. 292-293.)

H. B. No. 966—Mr. Clough—To authorize the Commissioners of Butler county, Ohio, to repair and grade Fort Hill.

H. B. No. 880—Mr. Leggett—To amend section fourteen, chapter nine of an act entitled an act to revise and consolidate the laws relating to procedure in the Probate Court, (O. L., Vol. 75, p. 960).

H. B. No. 894—Mr. Alexander—Making appropriations for the fiscal year 1879, and the first quarter of the fiscal year 1880, payable out of the revenue fund.

Attest:

L. A. BRUNNER, *Clerk.*

Said bills were read the first time.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives accedes to the request of the Senate, and herewith returns—

H. B. No. 717—Mr. Achauer—To amend section seven of an act entitled an act to provide for establishing an insurance department in the State of Ohio, as amended May 5, 1878, (O. L., Vol 75, p. 576.)

Attest:

L. A. BRUNNER, *Clerk.*

On motion of Mr. Jackson of Perry, said bill was laid on the table.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has concurred in Senate amendment to—

Substitute for H. B. No. 811—Mr. Elliott—To authorize the Council of the city of Delaware to issue bonds for the purpose of purchasing a site and erecting thereon a building for an engine-house, Mayor's office, Council-room, city prison and armory.

Attest:

L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The following bills have been introduced in the House of Representatives, and read the first time:

H. B. No. 1003—Mr. Swaim—Regulating the issuing and taking up of tickets and coupons of tickets by common carriers, and defining the rights of holders thereof, and other matters in relation thereto.

H. B. No. 1004—Mr. Cowgill—To authorize the Commissioners of Champaign county to make repairs, alterations and additions to the Court-house in said county.

H. B. No. 1005—Mr. Foster—To provide for the erection, maintenance and operation of gates at railroad-crossings in cities of the first class and second grade.

H. B. No. 1006—Mr. Dow—To authorize the Council of the village of Bellefontaine, Ohio, to transfer funds.

H. B. No. 1007—Mr. Brown of Putnam—To authorize the Board of Education of Blanchard township, Putnam county, to borrow money and issue bonds for purposes therein named.

H. B. No. 1008—Mr. Levering—Making appropriations for certain purposes for the fiscal year 1879, and the first quarter of the fiscal year 1880.

Attest:

L. A. BRUNNER, *Clerk*.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has concurred in Senate amendments Nos. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 17, 18 and 21, and has refused to concur in Senate amendments Nos. 16, 19 and 20 to—

H. B. No. 715—Mr. Bohl—To revise the statutes relating to persons.

Attest:

L. A. BRUNNER, *Clerk*,

On motion of Mr. Forrest, the Senate insisted on its amendments to said bill, and requested the appointment of a committee of Conference.

The President appointed Messrs. Jackson of Perry, Howland and Wilson as such committee on part of the Senate.

On motion of Mr. Forrest, S. B. No. 271 was taken from the table.

Mr. Howland moved to refer the bill to a select committee of one, with instructions to amend as follows:

At the end of section 27, page 9, insert: "any action of the directors for borrowing money, issuing bonds, or involving an expenditure of money, shall be by a yea and nay vote, and record thereof shall be made, showing the vote of each director voting upon the question."

On which motion the yeas and nays were demanded, taken, and resulted—yeas 22, nays 2, as follow:

Those who voted in the affirmative were—

Messrs. Beer, Curtiss, Fisher, Forrest, Howland, Irvine, Jackson of Perry, Kelley, Lord, Marsh, McDonald, Owens, Parker, Richards, Sabine, Seitz, Sherrick, Steedman, Tyler, Wagener, Williams and Wilson—22.

Those who voted in the negative were—

Messrs. Johnston and Saltzgaber 2.

So the motion was agreed to, and Mr. Howland was appointed such committee, and reported the bill back amended as instructed.

Mr. Curtiss moved to refer the bill to a select committee of one, with instructions to amend as follows:

Add at the end of section 165, page 78, the following: "Provided, that the council of any city having a population of over ninety, and less than one hundred and fifty thousand at the last federal census, at any time

before the expiration of a previous grant to occupy any street, or highway, may renew the same for a period not exceeding the term for which any original grant may be made, by agreement with the person or corporation to whom such previous grant was made, or the person or company owning or operating the route under such original grant, upon such terms and conditions as shall be deemed by them proper, and conducive to the public interest."

Mr. Marsh moved to amend the instructions as follows:

"And any such renewal of the grant shall apply to extensions of routes heretofore or hereafter made by ordinance."

On which motion the yeas and nays were demanded, taken, and resulted—yeas 4, nays 16, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Beer, Marsh and Sabine—4.

Those who voted in the negative were—

Messrs. Carlisle, Fisher, Forrest, Grove, Irvine, Johnston, Krimmel, Owens, Saltzgaber, Sherrick, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—16.

So said motion was disagreed to.

The question then recurring on Mr. Curtiss' motion, the yeas and nays were demanded, taken, and resulted—yeas 10, nays 21, as follow:

Those who voted in the affirmative were—

Messrs. Beer, Curtiss, Howland, Johnston, Kelley, Lord, Marsh, Owens, Richards and Sabine—10.

Those who voted in the negative were—

Messrs. Armstrong, Carlisle, Carson, Dungan, Fisher, Forrest, Grove, Irvine, Jackson of Clinton, Krimmel, McDonald, Parker, Saltzgaber, Seitz, Sherrick, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—21.

So the motion was disagreed to.

Mr. Marsh moved to refer the bill to a select committee of one, with instructions to amend as follows:

Page 55, section 105, line 1, insert after the word "railroad," the words "or street railroad."

Which was agreed to, and Mr. Marsh was appointed such committee, and reported the bill back amended as instructed.

Mr. Johnston moved to refer the bill to a select committee of one, with instructions to amend as follows:

Page 9, chapter 1, strike out section 28 as amended, and insert in lieu thereof the following:

SEC. 28. The stockholders of a corporation shall be deemed and held liable, in addition to their stock, in an amount equal to the stock by them subscribed, or otherwise acquired, to the creditors of the corporation, to secure the payment of the debts and liabilities of the corporation, (52 Vol., 44 § 78.)

Mr. Jackson of Perry moved to amend the instructions as follows:

Section 28, line 1, after "corporation," insert: "which may be hereafter formed, and such stockholders as are now liable under former statutes."

On which motion the yeas and nays were demanded, taken, and resulted—yeas 21, nays 6, as follow:

Those who voted in the affirmative were—

Messrs. Beebe, Beer, Carlisle, Curtiss, Grove, Howland, Irvine, Jackson of Perry, Johnston, Kelley, Lord, Marsh, McDonald, Owens, Parker, Richards, Sabine, Tyler, Wagener, Williams and Wilson—21.

Those who voted in the negative were—

Messrs. Carson, Fisher, Forrest, Saltzgaber, Seitz and Steedman—6.

So the motion was agreed to.

The question then being on Mr. Johnston's motion as amended, the yeas and nays were taken, and resulted—yeas 21, nays 7, as follow:

Those who voted in the affirmative were—

Messrs. Beebe, Beer, Carlisle, Curtiss, Grove, Howland, Irvine, Jackson of Perry, Johnston, Kelley, Lord, Marsh, McDonald, Owens, Richards, Sabine, Sherrick, Tyler, Wagener, Williams and Wilson—21.

Those who voted in the negative were—

Messrs. Dungan, Fisher, Forrest, Parker, Saltzgaber, Seitz and Steedman—7.

So the motion was agreed to, and Mr. Johnston was appointed such committee, and reported the bill back amended as instructed.

Mr. Dungan moved to refer the bill to a select committee of one, with instructions to amend as follows:

Section 4, page 3, so as to read: "corporations may be formed in the manner provided in this chapter only for the purposes of manufacturing, mining, and building railroads, turnpikes, telegraphs, plank roads, and savings associations and building associations."

Mr. Steedman moved to amend the instructions by striking out the words "and building associations."

On which motion the yeas and nays were demanded, taken, and resulted—yeas 14, nays 9, as follow:

Those who voted in the affirmative were—

Messrs. Carlisle, Curtiss, Dungan, Fisher, Johnston, Krimmel, Lord, Marsh, McDonald, Richards, Saltzgaber, Seitz, Sherrick and Steedman—14.

Those who voted in the negative were—

Messrs. Armstrong, Beer, Forrest, Grove, Howland, Kelley, Parker, Sabine and Wilson—9.

So the motion was agreed to.

Mr. Johnston moved to further amend the instructions by substituting therefor the following:

Strike out all of section 4, and insert the following:

SEC. 4. Corporations may be formed in the manner provided in this chapter, for any purpose hereinafter specified, and if the organization is for profit it must have a capital stock:

1. To establish a college, university, or other institution for the purpose of promoting education, religion, morality, agriculture, or the fine arts.

2. To receive, manage and control a college endowment fund.

3. To construct and operate a railroad.

4. To construct and manage a turnpike or plank-road.

5. To construct and operate a magnetic telegraph line or lines.

6. To supply gas for lighting the streets, and public and private buildings of any city, village or township, or to supply the inhabitants of any city, village or township with water.

7. To construct a bridge over any stream.

8. To engage in the business of manufacturing.

9. Any religious sect, denomination, or association, fire company, or any literary, scientific or benevolent association other than colleges, universities, academies, or seminaries.

10. Church sessions.
11. To form a sewerage company for the purpose of draining the streets, alleys, lots, commons, wharves, landings, or buildings of any city or village.
12. To form an avenue company.
13. To purchase and hold real estate on behalf of or for the use or benefit of Masonic or Odd Fellows' associations, and to improve the same by the erection of buildings or other structures.
14. To construct and maintain a canal or canals for hydraulic purposes.
15. To improve any stream of water, or any part thereof, heretofore declared navigable by any law of this State.
16. To form a company for gymnastic purposes, or other purposes of physical training and education.
17. To engage in the improvement of horses, asses, mules, cattle, sheep or swine.
18. To improve any of the mineral springs in this State, and to make the same proper and suitable places for the reception and accommodation of invalids and other visitors.
19. For transporting freight or for towing purposes on any of the navigable rivers in the state, or any lakes or navigable rivers bordering thereon.
20. To form insurance companies for any other purpose than life-insurance, viz.: against fire and lightning; health or injury; bequests of persons in trust; safe-deposit, on loans and other risks.
21. Life-insurance.
22. Boards of trustees of any college or university in this state, under the patronage of four or more conferences.
23. For military and polytechnical education.
24. Union depot company.
25. To construct a street railroad.
26. Agricultural, mechanical or industrial association.
27. Society for the promotion of agriculture, horticulture, and the mechanic arts.
28. To transport oils through tubing and pipes.
29. Firemen's general relief association.
30. To construct and maintain a market-house.
31. To carry on the ferry business.
32. To construct and establish a dock or docks in and adjacent to any of the navigable waters in or bordering upon this state.
33. Safe-deposit company.
34. Board of Trade or Chamber of Commerce.
35. Co-operative trade association.
36. To construct a park, pond or rink, or a public hall of any kind, for skating or other lawful sports, or for holding fairs, festivals, public meetings, concerts or entertainments of any kind not prohibited by law.
37. For preservation and exhibition of works of art.
38. For encouragement and cultivating a taste for music.
39. For the advancement of legal, medical, theological and religious knowledge, and knowledge in all the sciences, arts, trades, business and professions in life, and the better and more convenient discharge of duties connected therewith.
40. For the formation and encouragement of floral, horticultural,

nursery and fruit companies; and for planting and growing trees for timber and for shade, and for planting and growing hedges.

41. For cutting, quarrying, buying and selling marble, iron, slate, ice, or other material or artificial products.

42. For the promotion of agriculture, and the mutual benefit and gain of those engaged therein, in the purchase and sale of stock, commodities and articles pertaining thereto, including household necessities and luxuries.

43. For engaging in and carrying on the business of making and furnishing abstracts of title to real estate.

44. For transporting freight and passengers in cities.

45. For establishing and conducting public libraries.

46. For the formation and encouragement of harvest-home festivals, and popular instruction, enjoyment and displays of husbandry incident thereto.

47. For the protection of horses, mules and other live stock, and for the prevention of theft of same.

48. For the formation of wool-growers' associations, having for their object the establishment of wool-houses for the handling of wool and other produce, for doing a commission business, the furnishing of supplies to wool-growers and others, and the dissemination through bureaus or journals useful knowledge and information pertaining to the improvement of wool-growing interests.

49. To build improved life-boats and improved launching apparatus, and sending and selling the same, and to grant and sell the privilege and the right to manufacture, use and dispose of the same, and the rights thereto in any manner not inconsistent with the laws of the state.

50. To raise money to be loaned among the members and depositors.

51. For organizing elevator company.

52. For wrecking boats and vessels and saving the same and property thereon, or property lost by damage or injury to boats and vessels.

53. For encouraging and cultivating a taste for music, or for the sale of musical works and sheet music, or other books, periodicals, newspapers and stationery.

54. To exercise and practice in the use of military arms and instruction therein.

55. For erecting and constructing a bridge across the Ohio river.

56. Accident insurance company.

57. For consolidating companies incorporated for boring or digging for oil, salt, or for other vegetable, medicinal or mineral fluid in the earth, and for refining or purifying the same, mining coal, ores and other minerals, or manufacturing the same in whole or in part, or both.

58. Saving and loan associations.

59. For purchasing, constructing, using and maintaining a building or buildings to be used for hotels, store-rooms, manufacturing establishments, hospitals, tenement houses, or establishments for the treatment of invalids and for places of general public resort.

60. Colleges, seminaries, or other institutions of learning, heretofore incorporated for a limited time, may be reincorporated—how.

62. Two or more incorporated religious societies may consolidate—how.

63. Merchants' exchange.

64. For detection of horse-thieves and other criminals.

65. For mutual protection and relief of members, and for the payment of stipulated sums of money to the families or heirs of the deceased members.

66. To create a fund to promote education.

67. To establish fisheries.

68. To establish religious educational associations.

69. To receive and hold donations and bequests and funds arising from other sources, and disbursing the interest and income.

70. To create a board of trustees for any endowment fund or other purpose of any presbytery, synod, conference, diocesan convention, or other representative body of any religious denomination.

71. For manufacturing, buying and selling paper-bags, stationery, straw, boards, sewer-pipe, stoneware, harness and other articles manufactured in this state.

72. Incorporated religious societies by special act may reorganize under general act.

73. To establish patrons of husbandry.

74. For the transportation of petroleum and water through pipes.

75. Improved roads may be incorporated.

76. For purchasing or leasing real estate, and erecting pens and buildings for the safe keeping of live-stock.

77. Any religious sect, association or denomination may establish and maintain within this state printing and publishing houses, and place of business for printing, publishing, selling and circulating moral and religious literature, books, periodicals and other similar publications, under the direction of any conference, presbytery, synod, assembly, association, or other general ecclesiastical body of any sect, etc.

78. State, district, county and subordinate granges of the order of the patrons of husbandry.

79. Inclined railroad company.

80. Associations for mutual protection against fire.

81. Common carrier company.

82. For promoting the interests of agriculture, and for the relief of distressed farm laborers, or their widows and orphans, whether such widows and orphans be members of such association or otherwise, and for any other charitable purpose, which may be deemed proper by any such association connected with agricultural interests.

83. For receiving, now or hereafter, gifts, devises or trust funds, and to erect, establish or to maintain an academy in any department of fine arts, or a gallery for the exhibition of paintings, sculpture, or other works of art, or a museum of natural or other curiosities, or specimens of art, or nature, promotive of knowledge, or a law or other library, or course of lectures upon science, art, philosophy, natural history, or laws.

84. For the purpose of yachting, hunting, fishing, the protection of fish and game, and for lawful sporting purposes.

85. Cemetary association.

86. Soldiers' monument associations.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 14, nays 13, as follow :

Those who voted in the affirmative were—

Messrs. Beebe, Beer, Carlisle, Curtiss, Grove, Howland, Jackson of Perry, Johnston, Kelley, Lord, Owens, Richards, Sabine and Wilson—14.

Those who voted in the negative were—

Messrs. Armstrong, Carson, Dungan, Fisher, Forrest, Krimmel, Marsh, Parker, Saltzgaber, Seitz, Sherrick, Steedman and Tyler—13.

So the motion was agreed to.

Mr. Steedman moved to strike from said substitute "building associations."

Which was agreed to.

The question then being on Mr. Dungan's motion as amended, the yeas and nays were demanded, taken, and resulted—yeas 17, nays 9, as follow:

Those who voted in the affirmative were—

Messrs. Beebe, Beer, Carlisle Curtiss, Howland, Jackson of Perry, Johnston, Kelley, Krimmel, Lord, Owens, Richards, Sabine, Sherrick, Tyler, Wagener and Wilson—17.

Those who voted in the negative were—

Messrs. Dungan, Fisher, Forrest, Grove, Parker, Saltzgaber, Seitz, Steedman and Williams—9.

So the motion was agreed to, and Mr. Dungan was appointed such committee, who reported the bill back amended as instructed.

Mr. Dungan moved to refer the bill to a select committee of one, with instructions to amend as follows:

Page 53: SEC. 101. Such company may receive for transportation of property, when the same is less than one ton in weight, or where any quantity is transported a less distance than thirty miles, such reasonable rate as may be from time to time fixed by the corporation or prescribed by law; but until a tariff of specific rates is established by law for the transportation of property of such bulk that a quantity equal to the tonnage capacity of the car cannot be carried in it, the corporation may contract for space in the car sufficient to secure the safe transportation of such property, at a rate which shall not exceed five cents per ton per mile if such car were loaded to its tonnage capacity; and for the transportation of coal, pig-iron, limestone, iron ore, oil, or undressed stone or lumber, for a less distance than ten miles, such reasonable rates as may be from time to time fixed by the corporation or prescribed by law, and for any distance over ten miles and less than thirty, not more than five cents per ton per mile; and for any distance over thirty and less than fifty miles, not more than three cents per ton per mile; for any distance over fifty and under one hundred miles not more than two cents per ton per mile; and for all distances over one hundred miles, not more than one cent per ton per mile; and the corporation may charge on such freight a reasonable rate for loading and unloading when the same is in fact done by the corporation.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 8, nays 13, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Carlisle, Dungan, Fisher, Forrest, Parker, Seitz and Sherrick—8.

Those who voted in the negative were—

Messrs. Beebe, Beer, Curtiss, Howland, Lord, Owens, Richards, Sabine, Saltzgaber, Steedman, Wagener, Williams and Wilson—13.

So the motion was disagreed to.

Mr. Fisher moved to refer the bill to a select committee of one, with instructions to amend as follows:

After section 39, chapter 1, page 12, insert the following as a new section:

SEC. 39 $\frac{1}{2}$. All coal companies, and all coal and mining companies now existing, which have properly acknowledged certificates of incorporation, and have had the same filed in the office of the secretary of state, and recorded in the proper county or counties, as provided by law, and which have elected directors, and the capital stock of which has been fully paid up, but which companies, at the time of their organization in the subscriptions to the capital stock and in the election of directors have not strictly complied with all requirements of the law, are hereby authorized and empowered to carry on business for which they were organized, and shall exercise and possess all the corporate powers conferred by law the same as if all legal requirements had been observed in the subscription to stock and the election of directors.

Mr. Johnston moved to amend the instructions by striking out the words in lines 1 and 2, "all coal companies, and all coal and mining companies," and insert after the word "all," in line 1, the word "corporations."

On which motion the yeas and nays were demanded, taken, and resulted—yeas 8, nays 11, as follow:

Those who voted in the affirmative were—

Messrs. Beebe, Beer, Fisher, Grove, Irvine, Johnston, Kelley and Sabine—8.

Those who voted in the negative were—

Messrs. Carlisle, Dungan, Forrest, Marsh, Owens, Saltzgaber, Seitz, Steedman, Tyler, Wagener and Williams—11.

So the motion was disagreed to.

Mr. Sherrick moved that the Senate take a recess until 2 o'clock P.M.

Mr. Owens moved that the Senate take a recess.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 15, nays 13, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Carlisle, Curtiss, Howland, Irvine, Jackson of Perry, Johnston, Kelley, Lord, Owens, Richards, Sabine and Williams—15.

Those who voted in the negative were—

Messrs. Dungan, Fisher, Forrest, Grove, Marsh, Parker, Saltzgaber, Seitz, Sherrick, Steedman, Tyler, Wagener and Wilson—13.

So the motion was agreed to, and the Senate took a recess.

THREE O'CLOCK P.M.

When the Senate took a recess, it had under consideration S. B. No. 271, the pending question being on Mr. Fisher's motion to refer with instructions.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 17, nays 5, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Carlisle, Carson, Dungan, Fisher, Forrest, Irvine, Johnston, Lord, Marsh, McDonald, Parker, Sabine, Sherrick, Stokes, Tyler and Wilson—17.

Those who voted in the negative were—

Messrs. Beebe, Beer, Grove, Jackson of Perry and Saltzgaber—5.

So the motion was agreed to, and Mr. Fisher was appointed such committee, and reported the bill back amended as instructed.

Mr. Jackson of Perry moved to refer the bill to a select committee of one, with instructions to amend as follows:

Strike out section 31, chapter 1.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 14, nays 9, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Fisher, Grove, Irvine, Jackson of Perry, Johnston, Lord, Owens, Seitz, Stokes, Tyler and Williams—14.

Those who voted in the negative were—

Messrs. Carlisle, Carson, Dungan, Forrest, Howland, Sabine, Saltzgaber, Sherrick and Wilson—9.

So the motion was agreed to, and Mr. Jackson of Perry was appointed such committee, and reported the bill back amended as instructed.

Mr. Owens moved to refer the bill to a select committee of one, with instructions to amend as follows:

Strike out section 36, of chapter 2, on page 28, and insert the following:

SEC. 36. No company shall lease its road to any other company, unless such other company is, or shall become an organized corporation of this state, before the making of such lease as hereinbefore provided, nor unless the lessor receive full and adequate security for the payment of the rental, and for the preservation of the property of the lessor in as good condition as on entering into possession; and, if the lessee fail to pay such rental promptly when due, such lease shall be void, at the option of the lessor.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 16, nays 8, as follow:

Those who voted in the affirmative were—

Messrs. Beer, Carlisle, Dungan, Fisher, Forrest, Irvine, Jackson of Perry, Lord, Marsh, McDonald, Owens, Seitz, Steedman, Stokes, Tyler and Wagener—16.

Those who voted in the negative were—

Messrs. Armstrong, Beebe, Carson, Kelley, Richards, Sherrick, Williams and Wilson—8.

So the motion was agreed to, and Mr. Owens was appointed such committee, and reported the bill back amended as instructed.

Mr. Owens moved to refer the bill to a select committee of one, with instructions to amend as follows:

On page 74, chapter 2, in section 152, after the word "incorporation", in line 7, insert: "of this state, amenable to its process and."

On which motion the yeas and nays were demanded, taken, and resulted—yeas 14, nays 7, as follow:

Those who voted in the affirmative were—

Messrs. Beebe, Beer, Carlisle, Fisher, Grove, Irvine, Jackson of Perry, Johnston, McDonald, Owens, Sabine, Stokes, Williams and Wilson—14.

Those who voted in the negative were—

Messrs. Armstrong, Carson, Dungan, Forrest, Lord, Marsh, and Steedman—7.

So the motion was agreed to, and Mr. Owens was appointed such committee, and reported the bill back amended as instructed.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 18, nays 8, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Carlisle, Carson, Fisher, Jackson of Perry,

Lord, Marsh, McDonald, Owens, Parker, Richards, Saltzgaber, Seitz, Sherrick, Tyler, Wagener and Williams—18.

Those who voted in the negative were—

Messrs. Beer, Dungan, Howland, Irvine, Johnston, Kelley, Sabine and Steedman—8.

So the bill passed. The title was agreed to.

Mr. Howland asked and obtained leave of absence until to-morrow at noon.

Mr. Forrest moved that the Senate proceed to the consideration of S. B. No. 216.

Which was agreed to.

Mr. Sabine moved to refer the bill to a select committee of one, with instructions to amend as follows:

Section 6 $\frac{1}{4}$, page 282: "The superintendent shall annually, in his report to the Governor, make a statement of the entire amount expended for said institution in real estate purchases and in the buildings thereon; he shall show in such report the annual cost *per capita* of the inmates; he shall show the annual cost *per capita* of the inmates in the official management; he shall also show the percentage of entries and discharges in said report."

Which was agreed to, and Mr. Sabine was appointed such committee, and reported the bill back amended as instructed.

Mr. Sabine moved to refer the bill to a select committee of one, with instructions to amend as follows:

Section 4 $\frac{1}{4}$, page 306: "The superintendent shall annually, in his report to the Governor, make a statement of the entire amount expended for said institution, in real estate purchases and in the buildings thereon; he shall show in such report the annual cost *per capita* of the inmates; he shall show the annual cost *per capita* of the inmates in the official management; he shall also show the percentage of entries, discharges and cures in said report."

Which was agreed to, and Mr. Sabine was appointed such committee, and reported the bill back amended as instructed.

Mr. Sabine moved to refer the bill to a select committee of one, with instructions to amend as follows:

Section 14 $\frac{1}{4}$, page 293: "The superintendent shall annually, in his report to the Governor, make a statement of the entire amount expended for said institution in real estate purchases and in the buildings thereon; he shall show in such report the annual cost *per capita* of the inmates; he shall show the annual cost *per capita* of the inmates in the official management; he shall also show the percentage of entries, discharges and cures in said report."

Which was agreed to, and Mr. Sabine was appointed such committee, and reported the bill back amended as instructed.

Mr. Sabine moved to refer the bill to a select committee of one, with instructions to amend as follows:

Section 4 $\frac{1}{2}$, page 292: "he shall make an official record of the general rules and regulations of the institution of which he has charge; and shall also make a written record of each and every order made to any subordinate, concerning the general management or concerning any individual therein; and he shall require a written weekly report from every attendant therein in charge of any inmate or inmates, giving day and date of any refractory or insubordinate, or eccentric conduct, and the

name or names of the inmates offending, and the treatment of such inmates by the attendant. This report shall be in duplicate, and recorded in a record to be kept by the attendant, and a copy to be transmitted by him to the superintendent, to be filed in his office for permanent record."

Which was agreed to, and Mr. Sabine was appointed such committee, and reported the bill back amended as instructed.

Mr. Sabine moved to refer the bill to a select committee of one, with instructions to amend as follows :

After the word "institution," in line 9, section 6, page 322, insert: "and he shall also make a statement of the entire amount expended for said institution in real estate purchases and in the buildings thereon; he shall show the annual cost *per capita* of the inmates; he shall show the annual cost *per capita* in the official management and the percentage of entries, discharges und reforms in said report."

On which motion the yeas and nays were demanded, taken, and resulted—yeas 14, nays 11, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Carson, Fisher, Howland, Irvine, Kelley, Owens, Richards, Sabine, Saltzgaber, Seitz and Wilson—14.

Those who voted in the negative were—

Messrs. Carlisle, Dungan, Forrest, Grove, Jackson of Perry, Lord, Marsh, Parker, Sherrick, Stokes and Wagener—11.

So the motion was agreed to, and Mr. Sabine was appointed such committee, and reported the bill back amended as instructed.

Mr. Sabine moved to refer the bill to a select committee of one, with instructions to amend as follows :

Add at end of section 14, page 292: "It shall be the duty of the superintendent to make a record, upon the commitment of any one to his charge, of the personal, physical, parental and moral history thereof; of all that can be gathered from the physician's papers accompanying the transmission and by correspondence with or careful inquiry of any parties who may be able to give such information."

Which was agreed to, and Mr. Sabine was appointed such committee, and reported the bill back amended as instructed.

Mr. Sabine moved to refer the bill to a select committee of one, with instructions to amend as follows :

Page 295, section 21, strike out from 1 to 7 in same, and insert :

1. Name of patient, with Christian name at length.
2. Sex, age, married, single or widowed.
3. Condition of life and previous occupation, if any.
4. Religious persuasion so far as known.
5. Previous place of abode.
6. Whether first attack.
7. Age (if known) on first attack.
8. When and where previously under treatment.
9. Duration of existing attack.
10. Supposed cause.
11. Whether subject to epilepsy.
12. Whether suicidal.
13. Whether dangerous to others.
14. Facts or symptoms indicating insanity observed by examining physician.
15. Physical causes.
16. Moral causes.

17. Predisposing causes.
18. Habits of patient.
19. Habits of parents.
20. Hereditary or not.
21. Whether patient is free or not from any infectious disease.

Which was agreed to, and Mr. Sabine was appointed such committee, and reported the bill back amended as instructed.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 22, nays 2, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Carlisle, Carson, Fisher, Forrest, Howland, Irvine, Jackson of Perry, Kelley, Lord, Marsh, Owens, Richards, Sabine, Saltzgaber, Seitz, Steedman, Stokes, Tyler, Wagener and Wilson—22.

Those who voted in the negative were—

Messrs. Beer and Johnston—2.

So the bill passed. The title was agreed to.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The House of Representatives has refused to concur in Senate amendments to—

H. B. No. 643—Mr. Groschner—Revising the statutes relating to the legislative department.

Attest :

L. A. BRUNNER, *Clerk.*

Mr. Fisher moved that the Senate insist on its amendments to said bill.

Mr. Forrest moved that the Senate recede from its amendments to said bill.

Which was disagreed to.

The question recurring on Mr. Fisher's motion, the same was agreed to.

Mr. Richards moved that a committee of Conference be requested.

Which was agreed to.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The House of Representatives has concurred in Senate amendments to—

H. B. No. 747—Mr. Hardy of Defiance—Authorizing the Board of Public Works to grant or lease the south bank of Six-mile Reservoir, in Paulding county, to the Paulding and Antwerp Railroad Company, for a road-bed, under certain restrictions.

Attest :

L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The House of Representatives has concurred in Senate amendments to—

H. B. No. 602—Mr. Hume—Relating to public ways.

Attest :

L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The House of Representatives has concurred in the passage of the following bill :

S. B. No. 3—Mr. Lord—Further to amend the act entitled an act to authorize free banking, passed March 21, 1851 (49, O. L., 41), and the acts amendatory and supplementary thereto.

Attest :

L. A. BRUNNER, *Clerk.*

Mr. Steedman, on leave, introduced the following bill, which was read the first time :

S. B. No. 349—To amend section three, chapter six, division three of the municipal code, (O. L., Vol. 75, p. 271.)

Mr. Beer submitted the following report :

The standing committee on Finance, to whom was referred H. B. No. 953—To authorize the village of Logan, Hocking county, Ohio, to erect a building for a town-hall, market-house, Mayor's office, village prison, etc., to borrow money and issue bonds therefor—having had the same under consideration, report it back, with the following amendment, and recommend its passage when so amended :

In section 2, line 5, strike out the word "seven," and insert "six."

THOS. M. BEER, H. C. LORD,
H. W. CURTISS, J. SHERRICK.
JOHN SEITZ,

Said bill was ordered to be engrossed and read the third time on Wednesday next.

Mr. Sherrick submitted the following report :

The standing committee on Finance, to whom was referred H. B. No. 957—To authorize the Commissioners of Putnam county to issue bonds to raise money to redeem certain outstanding bonds—having had the same under consideration, report it back, and recommend its passage.

J. SHERRICK, JOHN SEITZ,
H. W. CURTISS, THOS. M. BEER.
H. C. LORD,

Said bill was ordered to be engrossed and read the third time on Wednesday next.

Mr. Tyler submitted the following report :

The standing committee on Railroads, Telegraphs and Turnpikes, to whom was referred H. B. No. 741—To authorize the Commissioners of Brown county to transfer certain funds—having had the same under consideration, report it back, and recommend its passage.

GEO. P. TYLER, H. C. LORD,
J. M. CARSON, H. SABINE,
THOS. M. BEER, D. JOY.
J. C. FISHER,

Said bill was ordered to be engrossed and read the third time now, and was then read.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 22, nays 1, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Carlisle, Carson, Dungan, Fisher, How-

land, Jackson of Perry, Johnston, Kelley, Krimmel, Lord, Marsh, McDonald, Owens, Parker, Steedman, Tyler, Wagener, Williams and Wilson—22.

Mr. Forrest voted in the negative.

So the bill passed. The title was agreed to.

Mr. Jackson of Perry submitted the following report :

The standing committee on Mines and Mining, to whom was referred H. B. No. 621—Supplemental to an act entitled an act to punish certain offenses therein named, passed April 27, 1878, (Vol. 75, p. 124), and also supplementary to an act entitled an act supplementary to an act to amend, revise and consolidate the statutes relating to crimes and offenses, and to repeal certain acts therein named, to be known as title one, crimes and offenses, part four of the act to revise and consolidate the general statutes of Ohio, passed May 5, 1877, passed May 10, 1878, (Vol. 75, p. 141)—having had the same under consideration, report it back, and recommend its passage.

LYMAN J. JACKSON,	J. R. JOHNSTON,
IRVINE DUNGAN,	C. F. KRIMMEL.
W. H. STOKES,	

Said bill was ordered to be engrossed and read the third time on Wednesday next.

Mr. Saltzgaber submitted the following report :

The standing committee on Salaries and Fees of Public Officers, to whom was referred H. B. No. 782—Revising and consolidating the statutes relating to the compensation of public officers—having had the same under consideration, report it back without recommendation.

G. M. SALTZGABER,	JOHN SEITZ,
THEO. MARSH,	H. SABINE.
G. W. WILSON,	

Said bill was ordered to be engrossed and read the third time, and made the special order for 11 o'clock on Wednesday next.

Mr. Lord submitted the following report :

The standing committee on Privileges and Elections, to whom was referred S. B. No. 345—To repeal a certain act therein named, (Vol. 74, p. 444)—having had the same under consideration, report it back, and recommend its passage.

H. C. LORD,	C. F. KRIMMEL,
J. R. JOHNSTON,	R. G. RICHARDS,
LYMAN J. JACKSON,	G. M. SALTZGABER.

Said bill was ordered to be engrossed and read the third time now, and was then read.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 25, nays 1, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Carlisle, Carson, Dungan, Fisher, Grove, Jackson of Perry, Johnston, Krimmel, Lord, McDonald, Owens, Parker, Richards, Sabine, Saltzgaber, Seitz, Sherrick, Steedman, Tyler, Wagener, Williams and Wilson—25.

Mr. Forrest voted in the negative.

So the bill passed. The title was agreed to.

Mr. Dungan offered the following resolution :

S. R. No. 94: WHEREAS, This session threatens to be one of the longest ever held in Ohio, owing to the gigantic task of codifying the laws of the State ; and

WHEREAS, Petitions are being presented alleging that the people desire the speedy adjournment of the Legislature ; and

WHEREAS, It would be unwise and impolitic, and detrimental to the interests of the State to adjourn without completing this important work ; therefore, for the purpose of hastening legislation and enabling the Legislature to adjourn at the earliest possible day,

Resolved, That S. R. No. 70, providing for an adjournment every three weeks, be rescinded from and after May 1, 1879.

Mr. Johnston gave notice of his intention to discuss said resolution, so it went over under the rules.

Mr. Carlisle offered the following resolution :

S. R. No. 95: *Resolved*, That no Senator will be allowed to speak longer than five minutes on any bill or resolution, unless by unanimous consent of the Senate.

Mr. Johnston gave notice of his intention to discuss said resolution, so it went over under the rules.

Mr. Carson moved to take from the table H. J. R. No. 112.

Which was agreed to.

The question being on the adoption of the resolution, the yeas and nays were ordered, taken, and resulted—yeas 28, nays none, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Carlisle, Carson, Dungan, Fisher, Grove, Howland, Irvine, Jackson of Perry, Johnston, Kelley, Krimmel, Lord, Marsh, McDonald, Owens, Richards, Sabine, Saltzgaber, Seitz, Sherrick, Steedman, Tyler, Wagener, Williams and Wilson 28.

So the resolution was adopted.

Mr. Dungan moved to suspend the rules, and take from the table S. R. No. 94, to rescind the Senate resolution requiring an adjournment every three weeks.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 12, nays 16, as follow :

Those who voted in the affirmative were —

Messrs. Armstrong, Carlisle, Carson, Dungan Fisher, Forrest, Krimmel, McDonald, Saltzgaber, Seitz, Sherrick, Steedman and Wagener—13.

Those who voted in the negative were—

Messrs. Beebe, Beer, Grove, Howland, Irvine, Jackson of Perry, Johnston, Kelley, Lord, Marsh, Owens, Richards, Sabine, Tyler, Williams and Wilson—16.

So the motion was disagreed to.

Mr. Dungan offered the following resolution :

S. R. No. 96: *Resolved*, That when the Senate adjourns upon any day, without any other time being determined upon, it shall be until the hour of 9 o'clock A. M. of the next legislative day ; and whenever it takes a recess upon any day, unless another hour is selected, it shall be until the hour of 2 o'clock P. M. of the same day. Senate Resolution No. 6 is hereby rescinded.

Mr. Richards gave notice of his intention to discuss said resolution, so it went over under the rules.

Mr. Seitz moved to suspend the rules, and take up S. R. No. 95.

Mr. Johnston moved that said motion be laid on the table.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 12, nays 14, as follow :

Those who voted in the affirmative were—

Messrs. Beebe, Beer, Howland, Irvine, Jackson of Perry, Johnston, Kelley, Lord, Owens, Richards, Sabine and Saltzgaber—12.

Those who voted in the negative were—

Messrs. Armstrong, Carlisle, Carson, Dungan, Fisher, Forrest, Krimmel, Marsh, McDonald, Parker, Seitz, Steedman, Wagener and Williams—14.

So the motion was disagreed to.

The question recurring on Mr. Seitz's motion to suspend the rules, the yeas and nays were demanded, taken, and resulted—yeas 5, nays 15, as follow :

Those who voted in the affirmative were—

Messrs. Carlisle, Dungan, Fisher, Grove and Seitz—5.

Those who voted in the negative were—

Messrs. Beer, Forrest, Howland, Irvine, Jackson of Perry, Johnston, Lord, Marsh, Owens, Richards, Sabine, Saltzgaber, Tyler, Williams and Wilson—15.

So the motion was disagreed to.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The House of Representatives accedes to the request of the Senate, and has appointed Messrs. Groschner, Tyler of Licking and Perkins a committee of Conference to consider the differences existing between the two Houses on—

H. B. No. 643—Mr. Groschner—Revising the statutes relating to the legislative department.

Attest :

L. A. BRUNNER, *Clerk.*

The President appointed Messrs. Fisher, Saltzgaber and Howland as such committee on part of the Senate.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The Speaker of the House of Representatives has, in the presence of the House, signed the following bill :

H. B. No. 830—Mr. Crosson —To authorize the Commissioners of Clermont county to levy a tax.

Attest :

L. A. BRUNNER, *Clerk.*

The President, in presence of the Senate, signed said bill.

Mr. Steedman moved that S. B. No. 203 be taken from the table.

Which was agreed to.

The question being on agreeing to the amendments reported by the committee on Common Schools and School Lands—

The following amendments were agreed to: Nos. 1, 2, 3, 4, 5, 6, 7 and 8.

Mr. Johnston moved to reconsider the vote whereby amendment No. 6 was agreed to.

Which was disagreed to.

Mr. Saltzgaber moved to amend said bill by adding the following section :

Page 62: SEC. 15 $\frac{1}{2}$. The funds belonging to a district composed of territory in more than one county, shall be paid by the treasurer of the other counties to the treasurer of the county in which the school-house of the district is situated; the auditors of the other counties shall make settlement on account of such funds with the auditor of the county in which such school-house is situated, and the treasurer of the district shall make the settlement required by section fifteen of this chapter with such auditor.

Which was agreed to.

Mr. Dungan moved to further amend said bill by adding the following section :

Add to page 76 :

SEC. 21. No board of county, city or village examiners shall have more than one member connected with the same school.

Which was agreed to.

Mr. Richards moved to further amend said bill as follows :

Page 29, section 8, in line 8, after the word "lease," insert "repairs"; and after the word "school-houses," insert the words "and build addition thereto."

Which was agreed to.

Mr. Tyler moved to further amend said bill as follows :

Page 10, section 8, strike out all after the word "for," in line twelve, including the word "change," in line 13.

Which was disagreed to.

Mr. Richards moved to further amend said bill as follows :

Insert after the word "education," in line 2, of section 8, page 36, the words "or of local directors."

Which was agreed to.

Mr. Richards moved to further amend said bill as follows :

Page 70, section 2, line 5: "and the clerk of the board shall keep a record of the proceedings, showing the number and date of each certificate, to whom granted, and for what branches of study, and shall report such statistics to the commissioners annually on or before the first day of October."

Which was agreed to.

Mr. Grove moved to further amend said bill as follows :

Page 37, chapter 7, section 11, strike out in lines 4 and 5, the words "the annual organization", and insert: "his election".

Which was disagreed to.

Mr. Richards moved to further amend said bill as follows :

Insert after the word "directors", in 6th line from top of 52d page: "at the end of any month or at the end of the term."

Which was agreed to.

Mr. Steedman moved that the Senate adjourn until 8 o'clock tomorrow morning.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 11, nays 9, as follow :

Those who voted in the affirmative were—

Messrs. Beer, Howland, Johnston, Marsh, Owens, Richards, Sabine, Steedman, Tyler, Williams and Wilson—11.

Tuesday, April 29, 1879.

Those who voted in the negative were—

Messrs. Carlisle, Carson, Dungan, Fisher, Forrest, Grove, Parker, Saltz-gaber and Seitz 9.

So the motion was agreed to, and the Senate adjourned.

Attest:

ALLEN O. MYERS, *Clerk.*

FRIDAY, April 25, 1879—8 o'clock A.M.

The Senate met pursuant to adjournment.

The Journal was read and approved.

Mr. Owens moved that the Senate adjourn.

Which was agreed to, and the President, in pursuance of S. R. No. 70, declared the Senate adjourned until Tuesday next at 3 o'clock P.M.

Attest:

ALLEN O. MYERS, *Clerk.*

TUESDAY, April 29, 1879—3 o'clock P.M.

The Senate met pursuant to adjournment.

The Journal was read and approved.

Bills were read the second time and referred, as follows:

H. B. No. 894—Mr. Alexander—Making appropriations for the fiscal year 1879, and for first quarter of the fiscal year 1880, payable out of the revenue fund.

Committee on Finance.

H. B. No. 986—Mr. Oglevee—Supplemental to an act authorizing the Trustees of Madison township, Clarke county, Ohio, to join with the Council of the incorporated village of South Charleston, in the construction of a town-hall for the joint use of said township and village, passed April 8, 1876, (73, O. L., 292-293.)

Committee on Municipal Corporations.

H. B. No. 966 - Mr. Clough—To authorize the Commissioners of Butler county, Ohio, to repair and grade Fort Hill.

Committee on Roads and Highways.

H. B. No. 880 Mr. Leggett - To amend section fourteen, chapter nine, of an act entitled an act to revise and consolidate the laws relating to procedure in the Probate Court, (O. L., Vol. 75, p. 960.)

Committee on the Judiciary.

H. B. No. 928—Mr. Meuser—To authorize certain municipal corporations to issue bonds to raise money to construct water-works.

Committee on Finance.

H. B. No. 882—Mr. Booth—To provide for the re-recording of destroyed and spoliated records.

Committee on Corporations other than Municipal.

S. B. No. 349—Mr. Steedman—To amend section three, chapter six, division three, of the municipal code, (O. L., Vol. 75, p. 271.)

Committee on Municipal Corporations.

The following bills were introduced, and read the first time:

S. B. No. 350—Mr. Wagener—To provide for the removal of the county

seat of Belmont county from the village of St. Clairsville, to the city of Bellaire, in said county, and to authorize the county Commissioners to erect a Court-house and county buildings in ease of such removal.

S. B. No. 351 Mr. Jackson of Clinton—To amend section two of an act to authorize the creation of an additional school sub-distriet in Beaver Creek township, Greene county, Ohio, passed March 31, 1879.

Leave of absenee was asked and obtained for Mr. Williams until to-morrow.

On demand of Mr. Forrest, a eall of the Senate was had.

Fourteen Senators answered to their names.

Messrs. Beebe, Benson, Curtiss, Dungan, Fisher, Grove, Howland, Irvine, Jaekson of Perry, Johnston, Joy, Kelley, Krimmel, Lord, McDonald, Parker, Saltzgaber, Seitz, Sherriek and Steedman were absent.

On motion of Mr. Carlisle, the Senate adjourned.

Attest:

ALLEN O. MYERS, *Clerk.*

WEDNESDAY, *April* 30, 1879—10 o'CLOCK A.M.

The Senate met pursuant to adjournment.

The Journal was read and approved.

Leave of absence was asked and obtained for Messrs. Tyler and Joy for to day and to-morrow, on aeecount of siekness.

Mr. Howland presented the petition of John B. Beach, E. P. Baker and 59 other eitizens of Kelloggsville, Ashtabula county, asking for the passage of an aet ereating a speeial school distriet of sub-distriet No. 4, in the township of Monroe, in said county.

Which was referred to the committee on Common Schools and School Lands.

Bills were read the seeond time and referred, as follows:

S. B. No. 350—Mr. Wagener—To provide for the removal of the county seat of Belmont county from the village of St. Clairsville, to the eity of Bellaire, in said county, and to authorize the county Commissioners to erect a Court-house and county buildings in case of such removal.

Committee on Unfinished Business.

S. B. No. 351—Mr. Jackson of Clinton—To amend section two of an aet to authorize the creation of an additional school sub-district in Beaver Creek township, Greene county, Ohio, passed March 31, 1879.

Committee on Common Schools and School Lands.

H. B. No. 953—Mr. Wolf To authorize villages containing a certain number of inhabitants to ereet a building for a town-hall, market-house, Mayor's offee, village prison, etc., to borrow money and issue bonds therefor—was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 23, nays 1, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Carson, Curtiss, Fisher, Grove, Howland, Irvine, Jackson of Clinton, Kelley, Krimmel, Lord, Marsh, McDonald, Owens, Richards, Sabine, Stokes, Wagener and Wilson 23.

Mr. Saltzgaber voted in the negative.

So the bill passed. The title was agreed to.

H. B. No. 957—Mr. Brown of Putnam To authorize the Commissioners of Putnam county to issue bonds to raise money to redeem certain outstanding bonds—was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 25, nays 1, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Carson, Curtiss, Fisher, Forrest, Grove, Howland, Jackson of Clinton, Kelley, Lord, Marsh, McDonald, Owens, Richards, Sabine, Seitz, Steedman, Stokes, Wagener, Williams and Wilson—25.

Mr. Irvine voted in the negative.

So the bill passed. The title was agreed to.

H. B. No. 621—Mr. Edwards—Supplemental to an act entitled an act to punish certain offenses therein named, passed April 27, 1878, (Vol. 75, p. 124), and also supplementary to an act entitled an act supplementary to an act to amend, revise and consolidate the statutes relating to crimes and offenses, and to repeal certain acts therein named, to be known as title one, crimes and offenses, part four of the act to revise and consolidate the general statutes of Ohio, passed May 5, 1877, passed May 10, 1878, (Vol. 75, p. 141)—was read the third time.

Mr. Richards moved that said bill be laid on the table.

Which was agreed to.

Mr. Jackson of Clinton offered the following joint resolution :

S. J. R. No. 88: WHEREAS, The Hon. M. S. Creamer, late member of the House of Representatives, was elected to represent the county of Fayette in this General Assembly; and

WHEREAS, He departed this life on — day of February, 1879, leaving a widow and minor children; and

WHEREAS, There has been no one elected to fill the vacancy caused by his death; therefore,

Be it resolved by the General Assembly of the State of Ohio, That the widow be allowed the unpaid *per diem* to the close of the present session, equal to a member of the General Assembly, and that the Speaker of the House of Representatives is hereby authorized to draw his warrant in her favor for the same.

The question being on the adoption of the joint resolution, the yeas and nays were ordered, taken, and resulted—yeas 26, nays none, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Carson, Curtiss, Fisher, Forrest, Grove, Howland, Jackson of Clinton, Jackson of Perry, Kelley, Krimmel, Lord, Marsh, McDonald, Owens, Richards, Saltzgaber, Sherrick, Steedman, Wagener, Williams and Wilson—26.

So the joint resolution was adopted.

The following bill was introduced, and read the first time :

S. B. No. 352—Mr. Steedman—To require the advertising and re-letting of grants for building and operating street railroads.

Mr. Curtiss submitted the following report :

The standing committee on Finance, to whom was referred H. B. No. 964—To amend an act of May 11, 1878, entitled an act to amend and revise the statutes relating to taxation, to be known as title thirteen, part one of the act to revise and consolidate the general statutes—having had the same under consideration, report it back, with the following amendments, and recommend its passage when so amended :

In line 23, strike out the words "two-fifths," and insert: "one mill and five-tenths"; and add at the end of section 2: "and the act entitled an act to provide for the levying of an additional tax in certain townships, for poor purposes, passed January 29, 1879, be and the same is hereby repealed."

H. W. CURTISS, THOS. M. BEER,
J. SHERRICK, JOHN SEITZ.

Said amendments were agreed to, and the bill was ordered to be engrossed and read the third time to-morrow.

Mr. Forrest submitted the following report:

The standing committee on Judiciary, to whom was referred S. B. No. 205—Revising the statutes relating to the judicial department—with the amendments agreed to in the House, having had the same under consideration, report them back, and recommend that the Senate concur in all the House amendments except proposed amendments to sections 1 and 2, of chapter 8, on pages 228 and 229.

W. T. FORREST, G. M. SALTZGABER,
LYMAN J. JACKSON, D. WAGENER.

The question being on agreeing to the report of the committee—

Mr. Saltzgaber demanded a division of the question.

The question then first being on concurring in the House amendments as recommended by the committee.

Mr. Forrest demanded a further division of the question as to House amendment No. 2, viz.: page 194, division 4, section 20.

The question being on concurring in House amendments as recommended, except No. 2, the yeas and nays were ordered, taken, and resulted—yeas 21, nays 3, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Curtiss, Dungan, Fisher, Forrest, Grove, Howland, Irvine, Jackson of Clinton, Kelley, Lord, Marsh, McDonald, Owens, Sabine, Saltzgaber and Wilson—21.

Those who voted in the negative were—

Messrs. Carson, Steedman and Seitz—3.

So the Senate concurred in said House amendments.

The question then being on concurring in House amendment No. 2, viz.: page 194, division 4, section 20, the yeas and nays were ordered, taken, and resulted—yeas none, nays 25, as follow:

Those who voted in the negative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Carson, Curtiss, Dungan, Fisher, Forrest, Grove, Howland, Jackson of Clinton, Kelley, Lord, Marsh, McDonald, Owens, Sabine, Saltzgaber, Seitz, Steedman, Stokes, Williams and Wilson—25.

So the Senate refused to concur in said House amendment No. 2.

The question then recurring on agreeing to the second part of the report of the Judiciary committee viz.: the proposed amendments to sections 1 and 2, of chapter 8, pages 228 and 229—

Mr. Saltzgaber demanded a division of said question as to sections 1 and 2.

The question first being on concurring in section 1, the yeas and nays were ordered, taken, and resulted—yeas 13, nays 14, as follow:

Those who voted in the affirmative were—

Messrs. Beebe, Beer, Curtiss, Dungan, Fisher, Forrest, Grove, Kelley, Lord, Owens, Richards, Sabine and Saltzgaber—13.

Those who voted in the negative were—

Messrs. Armstrong, Benson, Carlisle, Carson, Howland, Irvine, Jackson of Clinton, Marsh, McDonald, Seitz, Steedman, Stokes, Williams and Wilson—14.

So the Senate refused to concur in said section 1, and agreed to the report of the committee.

The question then being on concurring in section 2, the yeas and nays were ordered, taken, and resulted—yeas 4, nays 20, as follow :

Those who voted in the affirmative were—

Messrs. Beer, Dungan, Richards and Saltzgaber—4.

Those who voted in the negative were—

Messrs. Armstrong, Beebe, Benson, Carlisle, Carson, Curtiss, Forrest, Grove, Howland, Irvine, Jackson of Clinton, Kelley, Lord, Marsh, Owens, Seitz, Steedman, Stokes, Williams and Wilson—20.

So the Senate refused to concur in said section 2, and the report of the committee was agreed to.

Mr. Forrest moved that a committee of Conference be requested on the differences existing between the two Houses on said bill.

Which was agreed to.

On motion of Mr. Beer, the Senate took a recess.

THREE O'CLOCK P.M.

The President appointed Messrs. Forrest, Steedman and Curtiss as Conference committee on S. B. No. 205 on part of the Senate.

Mr. Dungan submitted the following report :

The joint committee on Enrollment has examined, and found correctly enrolled, the following bills and joint resolution :

H. B. No. 875—Supplementary to an act entitled an act to authorize County Commissioners in certain cases to accept devises and legacies, and to erect and maintain an Orphan Asylum in connection with a Children's Home, passed February 11, 1869.

H. B. No. 741—To authorize the Commissioners of Brown county to transfer certain funds.

H. J. R. No. 112—Requiring the Governor to make deed to John Ford for certain lands.

H. B. No. 747—Authorizing the Board of Public Works to grant or lease the south bank of Six-mile Reservoir, in Paulding county, to the Paulding and Antwerp Railroad Company, for a road-bed, under certain restrictions.

S. B. No. 3—Further to amend the act entitled an act to authorize free banking, passed March 21, 1851 (49, O. L., 41), and the acts amendatory and supplementary thereto.

IRVINE DUNGAN,	F. M. CARTER,
R. G. RICHARDS,	WM. JESSUP,
J. W. WASHBURN,	E. S. PERKINS.
C. R. HARMON,	

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The Speaker of the House of Representatives has, in the presence of the House, signed the following bill :

H. B. No. 875—Mr. Wales—Supplementary to an act entitled an act to authorize County Commissioners in certain cases to accept devises and legacies, and to erect and maintain an Orphan Asylum in connection with a Children's Home, passed February 11, 1869.

Attest :

L. A. BRUNNER, *Clerk*.

The President, in presence of the Senate, signed said bill.

Mr. Wilson submitted the following report :

The committee on Revision has examined, and found correctly engrossed, S. B. No. 271.

G. W. WILSON, G. M. SALTZGABER,
J. M. CARSON, J. C. FISHER.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The following bills have been introduced in the House of Representatives, and read the first time :

H. B. No. 1009—Mr. Dempcy—To authorize the Board of Education of Newburg township, Cuyahoga county, to issue bonds and levy a tax for the purpose of purchasing a site and erecting a school-house thereon.

H. B. No. 1010—Mr. Palmer—To authorize the Board of Education of Strongsville township, Cuyahoga county, Ohio, to levy a tax to build a school-house and town-hall.

H. B. No. 1011—Mr. Bloom—To authorize the State Board of Charities to make investigations of public institutions.

H. B. No. 1012—Mr. Loder—To provide for the more prompt payment of judgments in certain cities, and for other purposes.

H. B. No. 1013—Mr. Washburn—To authorize the Commissioners of Pike county to build an improved road.

H. B. No. 1014—Mr. Crosson—To authorize the transfer of certain funds therein named, now in the village treasury of Loveland, Clermont county.

H. B. No. 1015—Mr. Reed of Ross—To authorize the Commissioners of Ross county to cut down and grade Demoss Hill.

H. B. No. 1016—Mr. Haley—To authorize the Commissioners of Hardin county to pay the indebtedness of the Agricultural Society of said county.

H. B. No. 1017—Mr. Danford—For the relief of James Irwin, late Treasurer of Belmont county.

H. B. No. 1018—Mr. Danford—To amend section fourteen, chapter five of the act of May 11, 1878, entitled an act to amend, revise and consolidate the statutes relating to taxation, to be known as title thirteen, part one of the act to revise and consolidate the general statutes, (Vol. 75, O. L., p. 436).

H. B. No. 1019—Mr. Baker—To create a special school district in Amanda township, Allen county.

H. B. No. 1020—Mr. Wright—Supplementary to chapter three, division nine, title twelve of the act to revise and consolidate the general statutes of Ohio, (75, O. L., 161.)

Attest :

L. A. BRUNNER, *Clerk*.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bill, in which the concurrence of the Senate is requested:

H. B. No. 1015—Mr. Reed of Ross—To authorize the Commissioners of Ross county to cut down and grade Demoss Hill.

Attest:

L. A. BRUNNER, *Clerk.*

Said bill was read the first time.

Mr. Richards moved that S. B. No. 203 be taken from the table.

Which was agreed to.

Mr. Richards moved to amend said bill as follows:

Strike out from page 13, lines 6 and 7, section 2, the following words: "first Monday succeeding," and insert the following: "day of."

Which was agreed to.

Mr. Richards moved to further amend said bill as follows:

Section 13, page 52, in line 1, after the word "determine," insert the following: "at a regular meeting by an affirmative vote of a majority of all its members."

Which was agreed to.

Mr. Richards moved to further amend said bill as follows:

Insert after the word "claim," in line 6, section 12, page 38, the words "or to adopt any text-book."

Which was agreed to.

Mr. Richards moved to further amend said bill as follows:

Strike out from section 9, line 3 from top of 30th page, the words "in other cities of the first class, and in cities of the second class, four mills."

On which motion the yeas and nays were demanded, taken, and resulted—yeas 15, nays 12, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Curtiss, Forrest, Grove, Howland, Johnston, Kelley, Krimmel, Lord, Richards, Sabine, Saltzgaber and Wilson—15.

Those who voted in the negative were—

Messrs. Benson, Carlisle, Carson, Fisher, Irvine, Marsh, McDonald, Owens, Seitz, Sherrick, Steedman and Williams—12.

So the motion was agreed to.

Mr. Forrest moved to further amend said bill as follows:

Strike out of line 5, of section 13, page 52, the words "the members of the board," and insert: "all the members elected to said board."

Which was agreed to.

Mr. Richards moved to further amend said bill as follows:

Section 13, page 52, strike out "three," and insert "five."

On which motion the yeas and nays were demanded, taken, and resulted—yeas 13, nays 15, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Beer, Curtiss, Howland, Kelley, Marsh, Owens, Parker, Richards, Sabine, Seitz, Sherrick and Wilson—13.

Those who voted in the negative were—

Messrs. Benson, Carlisle, Carson, Fisher, Forrest, Grove, Irvine, Jackson of Clinton, Johnston, Lord, McDonald, Saltzgaber, Steedman, Stokes and Williams—15.

So the motion was disagreed to.

Mr. Owens moved to further amend said bill as follows:

Section 7, of chapter 8, on page 43, by striking out of 7th line of said section the word "eight," and inserting the word "six."

Which was agreed to.

Mr. Grove moved to further amend said bill as follows:

Page 50, section 7, in line 6, after the word "prescribe," insert: "Provided, that upon any charge for tuition for any non-resident pupil, the board shall credit the amount of school tax in such district paid by such pupil or its parent, for the current school year."

Which was disagreed to.

On motion of Mr. Richards, said bill was then ordered to be engrossed and read the third time on Friday next.

Mr. Armstrong, on leave, introduced the following bill, which was read the first time:

S. B. No. 353—To authorize a lease of part of the Public Works.

Mr. Carson moved to reconsider the vote whereby S. B. No. 203 was ordered to be engrossed and read the third time on Friday next.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 20, nays 7, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Benson, Carlisle, Carson, Dungan, Fisher, Forrest, Grove, Irvine, Krimmel, Lord, Marsh, McDonald, Parker, Saltzgaber, Seitz, Sherrick, Steedman, Stokes and Williams—20.

Those who voted in the negative were—

Messrs. Beer, Jackson of Clinton, Johnston, Kelley, Richards Sabine and Wilson—7.

So the motion was agreed to.

Mr. Sherrick moved that said bill be engrossed and read the third time to-morrow, and made the special order of the hour for 11 o'clock A. M.

Which was agreed to.

Leave of absence was asked and obtained for Mr. Wagener for this afternoon, and for Mr. Jackson of Perry for the balance of the week.

Mr. Saltzgaber submitted the following report:

The committee on Revision has examined, and found correctly engrossed, H. B. No. 964.

G. M. SALTZGABER,
G. W. WILSON.

Mr. Saltzgaber submitted the following report:

The committee on Revision has examined, and found correctly engrossed, S. J. R. No. 88.

G. M. SALTZGABER,
J. C. FISHER.

Mr. Krimmel moved to take from the table the report of the committee on Benevolent Institutions, in regard to the appointment of John Schriener, to be a Trustee of the Athens Asylum, for five years.

Which was agreed to.

The question being on advising and consenting to said appointment, the yeas and nays were taken, and resulted—yeas 20, nays none, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Benson, Carlisle, Dungan, Fisher, Forrest, Grove, Irvine, Krimmel, Lord, Marsh, McDonald, Owens, Parker, Saltzgaber, Seitz, Sherrick, Steedman, Stokes and Williams—20.

So the Senate advised and consented to said appointment.

Mr. Johnston moved to take from the table H. B. No. 621.

Which was agreed to.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 21, nays none, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Benson, Carlisle, Carson, Curtiss, Dungan, Fisher, Forrest, Grove, Irvine, Johnston, Krimmel, Lord, Marsh, McDonald, Parker, Richards, Steedman, Stokes, Williams and Wilson—21.

So the bill passed. The title was agreed to.

On motion of Mr. Saltzgaber, the Senate proceeded to the special order of the hour for 11 o'clock A.M. viz. :

H. B. No. 782—Mr. Williams—Revising and consolidating the statutes relating to the compensation of public officers.

Mr. Curtiss moved to amend said bill as follows :

Strike out sections 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76 and 77, and insert the following as a substitute for said sections :

SEC. 58. In the county of Cuyahoga, the fees of sheriffs shall be the same as now allowed by law, less 10 per cent. of the gross amount, in each case in court. Recorders and clerks of courts shall receive the same as is now allowed by law, except that the recorder shall be allowed to charge 10 cents on each 100 words of record; and the clerks of courts shall be limited and allowed to charge 7 cents on each 100 words of record; treasurers shall be entitled to the same percentage on collections as is now provided for by the act of February 8, 1877, except on collections of over \$230,000, the treasurers shall receive three-tenths of one per cent. in lieu of five-tenths of one per cent., as provided by said act; the probate judges shall receive the same as now allowed by law, less 10 per cent. of the gross amount of costs in each case.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 14, nays 14, as follow :

Those who voted in the affirmative were—

Messrs. Beebe, Beer, Benson, Curtiss, Howland, Jackson of Clinton, Johnston, Kelley, Lord, Owens, Richards, Sabine, Steedman and Wilson—14.

Those who voted in the negative were—

Messrs. Carlisle, Carson, Dungan, Fisher, Forrest, Grove, Marsh, McDonald, Parker, Saltzgaber, Seitz, Sherrick, Stokes and Williams—14.

So the motion was disagreed to.

Mr. Curtiss moved to amend the bill as follows :

Add at the end of section 77, the following : "But this act shall not take effect during the official term of the present incumbents."

Pending which, Mr. Carson demanded a call of the Senate.

Twenty-nine Senators answered to their names.

Messrs. Irvine and Krimmel were absent.

Mr. Carson moved that the Sergeant-at-Arms be dispatched for absentees.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 12, nays 15, as follow :

Those who voted in the affirmative were—

Messrs. Benson, Carlisle, Carson, Dungan, Fisher, Forrest, Grove, Parker, Saltzgaber, Seitz, Sherrick and Stokes—12.

Those who voted in the negative were—

Messrs. Beebe, Beer, Curtiss, Howland, Jackson of Clinton, Johnston, Kelley, Lord, Marsh, McDonald, Owens, Richards, Sabine, Steedman and Wilson—15.

So the motion was disagreed to.

On motion of Mr. Marsh, further proceedings under the call were dispensed with.

Mr. Dungan moved that the Senate take a recess until to-morrow morning at 9 o'clock.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 14, nays 13, as follow :

Those who voted in the affirmative were—

Messrs. Benson, Carlisle, Carson, Dungan, Fisher, Forrest, Grove, Jackson of Clinton, McDonald, Parker, Seitz, Sherrick, Stokes and Williams—14.

Those who voted in the negative were—

Messrs. Beebe, Beer, Curtiss, Howland, Johnston, Kelley, Lord, Marsh, Owens, Richards, Sabine, Saltzgaber and Steedman—13.

So the motion was agreed to; and the Senate took a recess.

THURSDAY, *May* 1, 1879—9 o'clock A.M.

The Senate met pursuant to recess.

On demand of Mr. Carson, a call of the Senate was had.

Twenty-seven Senators answered to their names.

Messrs. Armstrong, Benson, Howland, Irvine and Krimmel were absent.

On motion of Mr. Carson, further proceedings under the call were dispensed with.

When the Senate took a recess, it had under consideration H. B. No. 782, the pending question being on Mr. Curtiss' motion to amend.

Mr. Fisher moved to substitute the following for said amendment :

"This act, in so far as it applies to the officers of Cuyahoga county, shall take effect on and after September 1, 1879."

On which motion the yeas and nays were demanded, taken, and resulted yeas 15, nays 15, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Carlisle, Carson, Dungan, Fisher, Forrest, Grove, Irvine, Parker, Saltzgaber, Seitz, Sherrick, Stokes, Wagener and Williams—15.

Those who voted in the negative were—

Messrs. Beebe, Beer, Curtiss, Howland, Jackson of Clinton, Johnston, Kelley, Lord, Marsh, McDonald, Owens, Richards, Sabine, Steedman and Wilson—15.

So the motion was disagreed to.

The question recurring on Mr. Curtiss' motion to amend, the yeas and nays were demanded, taken, and resulted—yeas 17, nays 12, as follow :

Those who voted in the affirmative were—

Messrs. Beebe, Beer, Carlisle, Curtiss, Howland, Jackson of Clinton,

Johnston, Kelley, Lord, Marsh, McDonald, Owens, Richards, Sabine, Steedman, Williams and Wilson--17.

Those who voted in the negative were—

Messrs. Armstrong, Carson, Dungan, Fisher, Forrest, Grove, Irvine, Parker, Saltzgaber, Seitz, Sherrick and Stokes—12.

So the motion was agreed to.

Mr. Richards moved to further amend said bill as follows :

SEC. —. In all criminal cases in which a jury may be called to try the issue joined, and the defendant shall be convicted, there shall be taxed in the bill of costs the sum of six dollars as a jury fee, and judgment shall be rendered therefor against the defendant; which sum, when collected by the clerk or sheriff, shall be paid over to the county treasurer, (73 Vol., 127, § 33).

SEC. —. Each county officer shall make out a fair table of the fees to which he is entitled by law, and post and keep the same in his office within three months after he shall have been qualified, in some conspicuous place, for the inspection of all persons who have business in said office, on pain of forfeiting for each day the same shall be missing, for such officer's neglect, the sum of five dollars, which penalty may be recovered by indictment for the use of the county in which the offense is committed, (73 Vol., 127, § 34.)

SEC. —. No sheriff, coroner, or constable shall be entitled to receive, either on mesne or final process, any fees, unless he return upon the process upon which any charge shall have been made the particular items of such charge, (73 Vol., 127, § 36).

SEC. —. Every officer entitled to receive or collect any fees or costs shall, before the same are demanded or received, make out without charge therefor an itemized bill of such fees or costs; and no person shall be compelled to pay any fees or costs until said itemized bill thereof is so made out and delivered, with a receipt for the fees and costs paid, (70 Vol., 61, § 2).

Which was agreed to.

Mr. Seitz moved to further amend said bill as follows :

On page 532, strike out section 20.

Mr. Saltzgaber moved to amend the amendment as follows:

By striking out all of the section after the word "applicant", in line 1, and to and including the word "dollars", in line 7.

Which was agreed to.

The question then recurring on Mr. Seitz's motion to amend as amended—

Mr. Beer moved to amend said amendment as follows :

Add at the end of the section: "and all fees so collected shall be turned over to the state treasury."

On which motion the yeas and nays were demanded, taken, and resulted — yeas 13, nays 12, as follow :

Those who voted in the affirmative were—

Messrs. Beer, Carlisle, Curtiss, Dungan, Fisher, Forrest, Jackson of Clinton, Johnston, Kelley, Richards, Sabine, Seitz and Wilson—13.

Those who voted in the negative were—

Messrs. Armstrong, Benson, Krimmel, Lord, Marsh, McDonald, Owens, Parker, Saltzgaber, Steedman, Wagener and Williams—12.

So the motion was agreed to.

The question then recurring on Mr. Seitz's motion to amend as amended—

Mr. Richards moved that the vote whereby Mr. Beer's amendment to said amendment was agreed to, be reconsidered.

Which was agreed to.

The question then recurring on Mr. Beer's motion to amend the amendment—

The same was disagreed to.

Mr. Seitz moved that the vote whereby Mr. Saltzgaber's amendment to the amendment was agreed to, be reconsidered.

Which was agreed to.

The question then recurring on Mr. Saltzgaber's amendment to the amendment, the yeas and nays were demanded, taken, and resulted—yeas 6, nays 21, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beer, Fisher, Forrest, Howland and Parker—6.

Those who voted in the negative were—

Messrs. Beebe, Benson, Carlisle, Carson, Curtiss, Dungan, Grove, Jackson of Clinton, Johnston, Kelley, Krimmel, Lord, Marsh, Owens, Richards, Sabine, Seitz, Steedman, Wagener, Williams and Wilson—21.

So the motion was disagreed to.

The question recurring on Mr. Seitz's motion to strike out section 20, the yeas and nays were demanded, taken, and resulted—yeas 20, nays 3, as follow :

Those who voted in the affirmative were—

Messrs. Beebe, Beer, Benson, Carlisle, Curtiss, Dungan, Howland, Jackson of Clinton, Johnston, Kelley, Lord, Marsh, Owens, Parker, Richards, Sabine, Seitz, Sherrick, Steedman and Wilson—20.

Those who voted in the negative were—

Messrs. Grove, Irvine and Krimmel—3.

So the motion was agreed to.

Said bill was ordered to be engrossed and read the third time now, and was then read.

The question being "Shall the bill pass?"—

Mr. Curtiss moved to refer the bill to a select committee of one, with instructions to amend as follows:

In section 10, page 525, line 5, strike out the word "five," and insert "fifteen."

On which motion the yeas and nays were demanded, taken, and resulted—yeas 15, nays 12, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Curtiss, Forrest, Grove, Howland, Jackson of Clinton, Johnston, Kelley, Krimmel, Lord, McDonald, Owens and Sabine—15.

Those who voted in the negative were—

Messrs. Benson, Carson, Dungan, Fisher, Irvine, Marsh, Parker, Saltzgaber, Seitz, Sherrick, Steedman and Williams—12.

So the motion was agreed to, and Mr. Curtiss was appointed such committee, and reported the bill back amended as instructed.

Mr. Dungan moved to refer the bill to a select committee of one, with instructions to amend as follows:

Page 525, chapter 2, strike out section 13.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 16, nays 7, as follow :

Those who voted in the affirmative were—

Messrs. Benson, Carlisle, Carson, Curtiss, Dungan, Forrest, Grove, Howland, Irvine, Krimmel, McDonald, Owens, Seitz, Sherrick, Steedman and Williams—16.

Those who voted in the negative were—

Messrs. Beebe, Beer, Fisher, Johnston, Kelley, Marsh and Parker—7.

So the motion was agreed to, and Mr. Dungan was appointed such committee, and reported the bill back amended as instructed.

On motion of Mr. Seitz, the Senate took a recess.

THREE O'CLOCK P.M.

When the Senate took a recess, it had under consideration H. B. No. 782.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted -yeas 23, nays 2, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Carlisle, Carson, Curtiss, Dungan, Forrest, Grove, Howland, Jackson of Clinton, Lord, Marsh, McDonald, Owens, Richards, Sabine, Saltzgaber, Sherrick, Steedman, Tyler, Wagener and Wilson—23.

Those who voted in the negative were—

Messrs. Fisher and Parker—2.

So the bill passed. The title was agreed to.

Mr. Dungan submitted the following report :

The joint committee on Enrollment has examined, and found correctly enrolled, the following bills :

H. B. No. 621—Supplemental to an act entitled an act to punish certain offenses therein named, passed April 27, 1878, (Vol. 75, p. 124), and also supplementary to an act entitled an act supplementary to an act to amend, revise and consolidate the statutes relating to crimes and offenses, and to repeal certain acts therein named, to be known as title one, crimes and offenses, part four of the act to revise and consolidate the general statutes of Ohio, passed May 5, 1877, passed May 10, 1878, (Vol. 75, p. 141.)

H. B. No. 953—To authorize the village of Logan, Hocking county, Ohio, to erect a building for a town-hall, market-house, Mayor's office, village prison, etc., to borrow money and issue bonds therefor.

H. B. No. 957— To authorize the Commissioners of Putnam county to issue bonds to raise money to redeem certain outstanding bonds.

IRVINE DUNGAN,	E. S. PERKINS,
C. F. KRIMMEL,	J. R. JOHNSTON,
J. W. WASHBURN,	C. R. HARMON,
F. M. CARTER,	A. D. MARSH.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

The Speaker of the House of Representatives has, in the presence of the House, signed the following bills and joint resolution :

S. B. No. 3—Mr. Lord—Further to amend the act entitled an act to authorize free banking, passed March 21, 1851, (49, O. L., 41), and the acts amendatory and supplementary thereto.

H. B. No. 741—Mr. Parker—To authorize the Commissioners of Brown county to transfer certain funds.

H. B. No. 747—Mr. Hardy of Defiance— Authorizing the Board of Public Worksto grant or lease the south bank of Six-mile Reservoir, in Paulding county, to the Paulding and Antwerp Railroad Company, for a road-bed, under certain restrictions.

H. J. R. No. 112—Mr. Hostetter—Requiring the Governor to make deed to John Ford for certain land.

Attest:

L. A. BRUNNER, *Clerk*.

The President, in presence of the Senate, signed said bills and joint resolution.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bill, in which the concurrence of the Senate is requested:

H. B. No. 967—Mr. Dodds—Providing for the relief of W. M. Corry.

Attest:

L. A. BRUNNER, *Clerk*.

Said bill was read the first time.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has concurred in the passage of the following bills:

S. B. No. 237—Mr. Beer—To amend section fourteen, of chapter three, of division four, of the act relating to municipal corporations, (75, O. L., p. 308.)

S. B. No. 290—Mr. Owens—To amend section one, chapter two, of division four, of title one of an act entitled an act to revise and consolidate the laws relating to civil procedure in Courts of Common Pleas and Superior Courts, in District Courts on appeal, and also the laws relating to procedure in error, mandamus and quo warranto, passed May 14, 1878, (O. L., Vol. 75, p. 668).

Attest:

L. A. BRUNNER, *Clerk*.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has concurred in Senate amendment to—

H. B. No. 953—Mr. Wolf—To authorize villages containing a certain number of inhabitants to erect a building for a town-hall, market-house, Mayor's office, village prison, etc., to borrow money and issue bonds therefor.

Attest:

L. A. BRUNNER, *Clerk*.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has concurred in the adoption of the following joint resolution:

S. J.—33

S. J. R. No. 88 - Mr. Jackson of Clinton - Allowing per diem to the widow of the late Hon. M. S. Creamer.

Attest :

L. A. BRUNNER, *Clerk*.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The House of Representatives has concurred in the passage of the following bill :

S. B. No. 194—Mr. Williams—To amend section two, of chapter five, title thirteen, of an act to amend and revise the statutes for taxation, to be known as title thirteen, part one of the act to revise and consolidate the statutes of Ohio, passed May 11, 1878, (O. L., Vol. 75, p. 472).

Attest :

L. A. BRUNNER, *Clerk*.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The House of Representatives accedes to the request of the Senate, and has appointed Messrs. Washburn, Booth and Foster a committee of Conference on the part of the House to consider the differences existing between the two Houses on—

S. B. No. 205—Mr. Forrest—Revising the statutes relating to the judicial department.

And Messrs. Bohl, Douglass and Hume a like committee to consider the differences between the two Houses on—

H. B. No. 715—Mr. Bohl—Revising the statutes relating to persons.

Attest :

L. A. BRUNNER, *Clerk*.

The following bills were introduced, and read the first time :

S. B. No. 354—Mr. Tyler—Relating to incorporated villages having a population of not more than 1037, and not less than 1036, by the federal census of 1870.

S. B. No. 355—Mr. Parker To divide the township of New Haven, Huron county, into election precincts.

Mr. Sherrick submitted the following report :

The standing committee on Finance, to whom was referred H. B. No. 894—Making appropriations for the fiscal year 1879, and the first quarter of the fiscal year 1880, payable out of the revenue fund—having had the same under consideration, report it back, with the following amendments, and recommend its passage when so amended :

1. In section 1, strike out line 9, and insert : "library, two hundred dollars (\$200.00)".

2. Add after line 12 : "building gas-works, nine thousand dollars (9000.00)".

3. Strike out line 17 and insert : "ordinary repairs and painting walls, four thousand dollars (4000.00)".

4. Strike out line 18, and insert : "library, two hundred dollars (\$200.00)."

5. Strike out line 20, and insert : "to enlarge the water-tank, two thousand dollars (\$2000.00)."

6. Add after line 20 : "for repairing barn, one thousand dollars, (\$1000.00)."

7 "For repairing kitchen and employes department, one thousand dollars (\$1000.00)."

8. Strike out line 25, and insert: "for repairs, eight thousand dollars (\$8000.00)."

9. Strike out line 32, and insert: "purchase of cows, fifteen hundred dollars (1500.00)."

10. Add after line 33: "for telephone, fifteen hundred dollars (1500.00)."

11. "For extra pay to superintendent for superintending the construction of new store-room and ice-house, and overseeing the grading of the grounds, one thousand dollars (\$1000.00)."

12. Strike out line 37, and insert: "ordinary repairs and painting, four thousand dollars (\$4000.00)."

13. Strike out line 38, and insert: "library, two hundred dollars (\$200.00)."

14. Strike out line 43.

15. Strike out line 75. and insert: "laundry and machinery, twenty-five hundred dollars (\$2,500.00)."

16. Add after line 77: "bake-house, five hundred dollars (\$500.00)."

17. Strike out line 86.

18. Strike out line 127.

19. Strike out line 128. Strike out line 129.

20. Strike out line 130.

21. Strike out line 132.

22. Add after line 132: "for assistant in the department of mining and metallurgy, fifteen hundred dollars (\$1,500.00)."

J. SHERRICK,

H. C. LORD,

J. C. FISHER,

THOS. M. BEER,

JOHN SEITZ,

H. W. CURTISS.

J. M. CARSON,

On motion of Mr. Saltzgaber, said report was laid on the table.

Mr. Marsh submitted the following report:

The standing committee on Municipal Corporations, to whom was referred S. B. No. 319—To authorize the town Council of Woodsfield, Monroe county, to issue bonds and levy a tax—having had the same under consideration, report it back, and recommend its passage.

THEO. MARSH,

G. W. WILSON,

G. A GROVE,

JACKSON B. STEEDMAN.

Said bill was ordered to be engrossed and read the third time to-morrow.

Mr. Marsh submitted the following report:

The standing committee on Municipal Corporations, to whom was referred H. B. No. 986—Supplementary to an act to authorize the Trustees of Madison township, Clarke county, Ohio, to join with the Council of the incorporated village of South Charleston in the construction of a town-hall, for the joint use of said township and village, passed April 8, 1876, (O. L., Vol. 75, pp. 292-293)—having had the same under consideration, report it back, and recommend its passage.

THEO. MARSH,

G. A. GROVE,

J. B. STEEDMAN,

G. W. WILSON.

Said bill was ordered to be engrossed and read the third time to-morrow.

Mr. Marsh submitted the following report:

The standing committee on Municipal Corporations, to whom was referred S. B. No. 244—To amend section three and section seven, of

chapter five, of division five of an act to amend, revise and consolidate the statutes relating to municipal corporations, to be known as title twelve, part one of the act to revise and consolidate the general statutes of Ohio, passed May 14, 1878, (O. L., Vol. 75, pp. 238-239)—having had the same under consideration, report it back without recommendation.

THEO. MARSH, G. A. GROVE,
G. W. WILSON, JAS. B. STEEDMAN.

Said bill was ordered to be engrossed and read the third time to-morrow.

Mr. Marsh submitted the following report:

The standing committee on Municipal Corporations, to whom was referred S. B. No. 323—To authorize the Commissioners of Summit county to transfer certain funds—having had the same under consideration, report it back, and recommend its passage.

THEO. MARSH, G. M. SALTZGABER,
G. W. WILSON, JAS. B. STEEDMAN.
G. A. GROVE,

Said bill was ordered to be engrossed and read the third time to-morrow.

Mr. Forrest submitted the following report:

The standing committee on Judiciary, to whom was referred S. B. No. 311—To amend an act entitled an act to prevent the practice of resorting to distant courts to oppress the citizens of Ohio, and deprive them of their rights under the statutes of Ohio, passed May 11, 1878, (O. L., Vol. 75, p. 517)—having had the same under consideration, report it back, and recommend its passage.

W. T. FORREST, D. WAGENER,
J. R. JOHNSTON, W. P. HOWLAND.

Said bill was ordered to be engrossed and read the third time to-morrow.

Mr. Krimmel submitted the following report:

The standing committee on Benevolent Institutions, to whom was referred the appointment of Dr. Charles S. Muscroft, Sr., of Hamilton county, to be a Director of Longview Asylum for the Insane, having had the same under consideration, report it back, and recommend his confirmation.

C. F. KRIMMEL, B. W. CARLISLE,
G. A. GROVE, GEO. P. TYLER.

Mr. Marsh moved that said report be laid upon the table.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 13, nays 16, as follow:

Those who voted in the affirmative were—

Messrs. Beebe, Curtiss, Grove, Jackson of Clinton, Johnston, Kelley, Marsh, Richards, Saltzgaber, Seitz, Sherrick, Stokes and Wilson—13.

Those who voted in the negative were—

Messrs. Armstrong, Benson, Carlisle, Carson, Dungan, Fisher, Forrest, Irvine, Krimmel, Lord, McDonald, Owens, Parker, Steedman, Tyler and Wagener—16.

So the motion was disagreed to.

On motion of Mr. Marsh, the Senate went into executive session on said report, and, after some time spent therein, resumed its deliberations in open session.

Mr. Dungan moved to remove the injunction of secrecy from the pro-

ceedings in the late executive session of Dr. Muscroft, for a Trustee of Longview Asylum.

Pending which, on demand of Mr. Steedman, a call of the Senate was had.

Thirty Senators answered to their names.

Messrs. Beebe and Williams were absent.

Mr. Seitz moved that further proceedings under the call be dispensed with.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 19, nays 10, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Beer, Benson, Curtiss, Fisher, Grove, Irvine, Jackson of Clinton, Kelley, Marsh, McDonald, Owens, Parker, Sabine, Saltzgaber, Seitz, Sherrick, Stokes and Williams—19.

Those who voted in the negative were—

Messrs. Carlisle, Carson, Dungan, Forrest, Howland, Lord, Richards, Steedman, Tyler and Wagener—10.

So the motion was agreed to.

The question recurring on the motion of Mr. Dungan, the yeas and nays were demanded, taken, and resulted—yeas 12, nays 18, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Carson, Fisher, Forrest, Grove, Howland, Jackson of Clinton, Kelley, Marsh, McDonald, Richards and Wilson—12.

Those who voted in the negative were—

Messrs. Beer, Benson, Carlisle, Curtiss, Dungan, Irvine, Krimmel, Lord, Owens, Parker, Sabine, Saltzgaber, Seitz, Sherrick, Steedman, Stokes, Tyler and Wagener—18.

So the motion was disagreed to.

Leave of absence was asked and obtained for Mr. Johnston until Monday next.

The question then being on advising and consenting to the appointment of Dr. Chas. S. Muscroft, Sr., the yeas and nays were ordered, taken, and resulted—yeas 16, nays none, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Benson, Carlisle, Dungan, Fisher, Grove, Irvine, Krimmel, Lord, McDonald, Owens, Parker, Sherrick, Steedman, Tyler and Wagener—16.

So the Senate refused to advise and consent to said appointment.

The following Senators were present, but not voting: Messrs. Beer, Carson, Curtiss, Forrest, Howland, Jackson of Clinton, Kelley, Marsh, Richards, Sabine, Saltzgaber, Seitz, Stokes and Wilson—14.

Mr. Saltzgaber moved that the vote whereby S. B. No. 203 was made the special order for 11 o'clock to-day be reconsidered.

Which was agreed to.

The question recurring on said motion to make the bill the special order for 11 o'clock to-day—

The same was disagreed to.

Mr. Saltzgaber moved that said bill be considered, and read the third time now.

Which was agreed to, and the bill was read the third time.

The question being on the passage of the bill—

Mr. Carson moved to refer the bill to a select committee of one, with instructions to amend as follows:

Page 30, section 9, chapter 6, line 5, strike out the word "seven," and insert the word "six."

On which motion the yeas and nays were demanded, taken, and resulted—yeas 17, nays 7, as follow :

Those who voted in the affirmative were—

Messrs. Benson, Carlisle, Carson, Dungan, Fisher, Forrest, Krimmel, Lord, Marsh, McDonald, Owens, Parker, Saltzgaber, Seitz, Steedman, Stokes and Wagener—17.

Those who voted in the negative were—

Messrs. Beer, Curtiss, Grove, Howland, Jackson of Clinton, Richards and Sabine—7.

So the motion was agreed to, and Mr. Carson was appointed such committee, and reported the bill back amended as instructed.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 25, nays none, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Benson, Carlisle, Carson, Curtiss, Dungan, Fisher, Forrest, Grove, Howland, Jackson of Clinton, Krimmel, Lord, Marsh, McDonald, Owens, Parker, Richards, Saltzgaber, Seitz, Sherrick, Steedman, Stokes, Tyler and Wagener—25.

So the bill passed. The title was agreed to.

Mr. Beer moved that the Senate adjourn.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 15, nays 11, as follow :

Those who voted in the affirmative were—

Messrs. Beer, Benson, Carlisle, Carson, Curtiss, Howland, Jackson of Clinton, Kelley, Lord, Marsh, Owens, Richards, Sabine, Steedman and Wagener—15.

Those who voted in the negative were—

Messrs. Armstrong, Dungan, Fisher, Forrest, Grove, McDonald, Parker, Saltzgaber, Seitz, Stokes and Tyler—11.

So the motion was agreed to, and the Senate adjourned.

Attest :

ALLEN O. MYERS, *Clerk.*

FRIDAY, May 2, 1879—10 o'clock A.M.

The Senate met pursuant to adjournment.

The Journal was read and approved.

Mr. Forrest presented the memorial of the Scioto Valley Railway Company and the Hocking Valley Railway Company, praying the passage of S. B. No. 353.

Which was referred to the committee on Public Works and Public Lands.

Mr. Saltzgaber moved that the rules be suspended, and that H. B. No. 894 be taken from the table.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 18, nays 11, as follow :

Those who voted in the affirmative were—

Messrs. Beebe, Beer, Benson, Carlisle, Curtiss, Fisher, Grove, Howland, Jackson of Clinton, Kelley, Marsh, Owens, Parker, Richards, Sabine, Saltzgaber, Sherrick and Stokes—18.

Those who voted in the negative were—

Messrs. Armstrong, Carson, Dungan, Forrest, Krimmel, McDonald, Seitz, Steedman, Tyler, Wagener and Williams—11.

So the motion, having failed to receive the requisite two-thirds majority, was lost.

Bills were read the second time and referred, as follows:

H. B. No. 1015—Mr. Reed of Ross—To authorize the Commissioners of Ross county to cut down and grade Demoss Hill.

Committee on Roads and Highways.

H. B. No. 967—Mr. Dodds—Providing for the relief of W. M. Corry.

Committee on Claims.

S. B. No. 352—Mr. Steedman—To require the advertising and re-letting of grants for building and operating street railroads.

Committee on Railroads, Telegraphs and Turnpikes.

S. B. No. 353—Mr. Armstrong—To authorize a lease of part of the public works.

Committee on Public Works and Public Lands.

S. B. No. 354—Mr. Tyler—Relating to incorporated villages having a population of not more than one thousand and thirty-seven, and not less than one thousand and thirty-six by the federal census of 1870.

Committee on Railroads, Telegraphs and Turnpikes.

S. B. No. 355—Mr. Parker—To divide the township of New Haven, county of Huron, into election precincts.

Committee on Privileges and Elections.

Mr. Dungan moved that the rules be suspended, that H. J. R. No. 110 may be taken from the table.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 20, nays 8, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Benson, Carson, Dungan, Forrest, Grove, Kelley, Krimmel, Lord, Marsh, McDonald, Owens, Parker, Richards, Steedman, Stokes, Tyler, Wagener and Williams—20.

Those who voted in the negative were—

Messrs. Beer, Curtiss, Fisher, Howland, Jackson of Clinton, Sabine, Seitz and Sherrick—8.

So the motion was agreed to.

Mr. Owens moved that said H. J. R. No. 110 be taken from the table.

Which was agreed to.

The question being on the adoption of said joint resolution, the yeas and nays were taken, and resulted—yeas 25, nays 1, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson Carlisle, Carson, Curtiss, Dungan, Fisher, Forrest, Grove, Howland, Jackson of Clinton, Kelley, Krimmel, McDonald, Owens, Parker, Richards, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—25.

Mr. Sherrick voted in the negative.

So said joint resolution was adopted.

H. B. No. 964—Mr. Reed of Ross—To amend the act of May 11, 1878, entitled an act to amend and revise the statutes relating to taxation, to be known as title thirteen, part one of the act to revise and consolidate the general statutes, (75 Vol., 436)—was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 23, nays none, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Curtiss, Fisher, Grove, Howland, Jackson of Clinton, Kelley, Krimmel, McDonald, Parker, Richards, Seitz, Sherrick, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—23.

So the bill passed. The title was agreed to.

H. B. No. 986—Mr. Oglevee—Supplemental to an act authorizing the Trustees of Madison township, Clarke county, Ohio, to join with the Council of the incorporated village of South Charleston, in the construction of a town-hall for the joint use of said township and village, passed April 8, 1876, (73, O. L., 292 and 293)—was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 23, nays none, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Carson, Curtiss, Dungan, Forrest, Grove, Howland, Jackson of Clinton, Kelley, Marsh, McDonald, Owens, Parker, Richards, Sabine, Sherrick, Stokes, Williams and Wilson—23.

So the bill passed. The title was agreed to.

S. B. No. 319—Mr. Williams—To authorize the town Council of Woodfield, Monroe county, Ohio, to issue bonds and levy a tax—was read the third time.

Mr. Seitz moved to refer the bill to a select committee of one, with instructions to amend as follows:

Section 1, line 9, strike out the word "seven," and insert the word "six."

Which was disagreed to.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 24, nays none, as follow:

Those who voted in the affirmative were—

Messrs. Beebe, Beer, Benson, Carlisle, Curtiss, Dungan, Fisher, Forrest, Grove, Jackson of Clinton, Kelley, Krimmel, Marsh, McDonald, Owens, Parker, Richards, Sabine, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—24.

So the bill passed. The title was agreed to.

S. B. No. 244—Mr. Forrest—To amend sections three and seven, of chapter five, of division five of an act to amend, revise and consolidate the statutes relating to municipal corporations, to be known as title twelve, part one of the act to revise and consolidate the general statutes of Ohio, passed May, 1878, (75, O. L., pp. 238-239)—was read the third time.

Mr. Forrest moved to refer the bill to a select committee of one, with instructions to amend as follows:

On line 14, section 1, after the word "property," insert: "and preserve public tranquility."

Which was agreed to, and Mr. Forrest was appointed such committee, and reported the bill back amended as instructed.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 16, nays 1, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Beer, Benson, Carlisle, Carson, Fisher, Forrest, Marsh, McDonald, Owens, Parker, Seitz, Steedman, Stokes, Tyler and Wagener—16.

Mr. Krimmel voted in the negative.

So the bill having failed to receive a constitutional majority, was lost.

S. B. No. 323 – Mr. Beebe—To authorize the Commissioners of Summit county to transfer certain funds—was read the third time.

The question being “Shall the bill pass?” the yeas and nays were taken, and resulted—yeas 23, nays none, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Curtiss, Grove, Howland, Jackson of Clinton, Kelley, Krimmel, Lord, Marsh, McDonald, Owens, Parker, Richards, Sabine, Sherrick, Stokes, Tyler, Wagener and Wilson – 23.

So the bill passed. The title was agreed to.

S. B. No. 311—Mr. Owens—To amend an act entitled an act to prevent the practice of resorting to distant courts to oppress the citizens of Ohio, and deprive them of their rights under the statutes of Ohio, passed May 11, 1878, (O. L., Vol. 75, p. 517)—was read the third time.

The question being “Shall the bill pass?” the yeas and nays were taken, and resulted—yeas 26, nays none, as follows :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Carson, Curtiss, Fisher, Forrest, Grove, Howland, Jackson of Clinton, Kelley, Krimmel, Lord, Marsh, Owens, Sabine, Seitz, Sherrick, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—26.

So the bill passed. The title was agreed to.

The following bill was introduced, and read the first time :

S. B. No. 356—Mr. Benson —To amend section fourteen of an act entitled an act to better provide for the organization, regulation and management of Hospitals for the Insane, passed March 27, 1876, (O. L., Vol. 73, p. 84.)

Mr. Fisher submitted the following report :

The standing committee on Public Printing, to whom was referred H. J. R. No. 102—To provide for printing eighteen thousand copies of the report of State Commissioner of Common Schools—having had the same under consideration, report it back, and recommend its adoption.

J. C. FISHER, J. M. ARMSTRONG,
LINDSEY KELLEY, JOHN H. BENSON.

The question being on the adoption of the joint resolution, the yeas and nays were ordered, taken, and resulted—yeas 26, nays none, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Carson, Curtiss, Fisher, Forrest, Grove, Howland, Jackson of Clinton, Kelley, Krimmel, Lord, Marsh, McDonald, Owens, Parker, Richards, Seitz, Steedman, Stokes, Wagener, Williams and Wilson—26.

So said joint resolution was adopted.

Mr. Fisher submitted the following report :

The standing committee on Finance, to whom was referred H. B. No. 897—To authorize the Trustees of Sandusky township, Sandusky county, Ohio, to issue bonds to the amount of twelve hundred dollars (\$1200 00) for the purpose of paying certain indebtedness of said township—having had the same under consideration, report it back, and recommend its passage.

J. SHERRICK, JOHN SEITZ,
H. W. CURTISS, THOS. M. BEER,
H. C. LORD, J. C. FISHER.

Said bill was ordered to be engrossed and read the third time to-morrow.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has concurred in the passage of the following bill:

S. B. No. 236—Mr. Richards—To amend section eleven, of chapter one, division eight of an act entitled an act to amend, revise and consolidate the statutes relating to municipal corporations, to be known as title twelve, part one of the act to revise and consolidate the general statutes of Ohio—with the following amendment, in which the concurrence of the Senate is requested:

Add to section 11: "And in cities of the first grade of the first class, the board of public works of said city, may if they deem it for the best interest of said city, supply water without charge to any Zoological Garden in or near said city so long as said garden pays no dividend to its stockholders."

Attest:

L. A. BRUNNER, *Clerk*.

The question being on concurring in said House amendment, the yeas and nays were ordered, taken, and resulted—yeas 7, nays 15, as follow:

Those who voted in the affirmative were—

Messrs. Beebe, Benson, Fisher, Grove, Richards, Saltzgaber and Tyler—7.

Those who voted in the negative were—

Messrs. Beer, Carlisle, Carson, Forrest, Krimmel, Lord, Marsh, McDonald, Parker, Seitz, Sherrick, Steedman, Stokes, Wagener and Williams—15.

So the Senate refused to concur.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bill, in which the concurrence of the Senate is requested:

H. B. No. 837—Mr. Swaim—To revise, amend and consolidate the statutes relating to police regulations.

Attest:

L. A. BRUNNER, *Clerk*.

Said bill was read the first time.

Mr. Marsh offered the following resolution:

S. R. No. 97: *Resolved*, That the Attorney-general be and he is hereby requested to transmit to the Senate, as soon as practical, his opinion of the constitutionality of the practice of introducing into one branch of the Legislature a bill of the same purport, and for the identical purpose with one defeated during the same session of the General Assembly in the other branch; also, as to whether a petition presented to one branch of the General Assembly under the notice and provision of the act to regulate the mode of petitioning the Legislature in certain cases, (S. & C., Vol. 1, p. 919), can be legally presented in the other branch during the same session, after the former branch has refused to grant the request of the petitioners, and without further notice.

Mr. Steedman moved that said resolution be referred to the committee on the Judiciary.

Which was agreed to.

Mr. Carlisle moved that the vote whereby the Senate refused to confirm the appointment of Chas. S. Muscroft, Sr., be reconsidered.

Mr. Seitz moved that the Senate take a recess.

Which was disagreed to.

On motion of Mr. Seitz, the Senate took a recess until 2½ o'clock P.M.

TWO AND ONE-HALF O'CLOCK P.M.

When the Senate took a recess, the pending question was on motion the of Mr. Carlisle, to reconsider the vote whereby the confirmation of the appointment of Dr. Chas. S. Muscroft, Sr., was lost.

Mr. Owens raised the point of order, that Mr. Carlisle could not make the motion to reconsider, as he did not vote with the majority on said confirmation.

The President ruled that the point of order was well taken, and that the motion was out of order.

Mr. Sherrick moved that the rule be suspended, in order that Mr. Carlisle might make his motion to reconsider the vote whereby the confirmation of Dr. Chas. S. Muscroft, Sr., was lost.

On which motion the yeas and nays were ordered, taken, and resulted—yeas 19, nays 12, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Benson, Carlisle, Carson, Fisher, Forrest, Grove, Irvine, Krimmel, Lord, McDonald, Parker, Sherrick, Steedman, Stokes, Tyler, Wagener and Williams—19.

Those who voted in the negative were—

Messrs. Beer, Curtiss, Howland, Jackson of Clinton, Kelley, Marsh, Owens, Richards, Sabine, Saltzgaber, Seitz and Wilson—12.

So the motion, having failed to receive the requisite two-thirds majority, was lost.

Mr. Saltzgaber moved that the rules be suspended that he might introduce a bill.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 20, nays 1, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Curtiss, Fisher, Forrest, Grove, Jackson of Clinton, Kelley, Marsh, McDonald, Owens, Parker, Sabine, Saltzgaber, Seitz, Williams and Wilson—20.

Mr. Krimmel voted in the negative.

So the motion was agreed to, and Mr. Saltzgaber introduced the following bill, which was read the first time :

S. B. No. 357—To provide for printing and distributing the laws of the present session, and the revised statutes, in permanent form.

Mr. Fisher offered the following joint resolution :

S. J. R. No. 89: *Be it resolved by the General Assembly of the State of Ohio,* That two thousand copies of the report of the Fish Commissioners of Ohio, for 1878, be printed in pamphlet form, five hundred copies for the use of the Fish Commissioners and the remainder to be distributed among the members of this General Assembly.

Mr. Curtiss moved to amend said joint resolution by striking out the word "two," in the first line, and inserting in lieu thereof the word "three."

Which was agreed to.

The question being on the adoption of the joint resolution as amended, the yeas and nays were taken, and resulted—yeas 22, nays none, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Benson, Carlisle, Curtiss, Fisher, Forrest, Irvine, Kelley, Krimmel, McDonald, Owens, Parker, Richards, Sabine, Saltzgaber, Seitz, Sherrick, Tyler, Wagener, Williams and Wilson—22.

So the joint resolution was adopted.

Mr. Richards submitted the following report :

The joint committee on Enrollment has examined, and found correctly enrolled, the following joint resolution :

H. J. R. No. 110—Providing for the printing and binding of 600 extra copies of the Adjutant-general's report for the year 1878.

R. G. RICHARDS,	C. F. KRIMMEL,
C. R. HARMON,	F. M. CARTER,
A. D. MARSH,	E. S. PERKINS,
WM. JESSUP,	DUNCAN DOW.

MESSAGE FROM THE GOVERNOR.

THE STATE OF OHIO, EXECUTIVE DEPARTMENT,

COLUMBUS, *2nd day of May*, 1879.

To the Senate :

I have the honor to nominate, and by and with the advice and consent of the Senate, appoint Dr. Charles S. Muscroft, Sr., of Cincinnati, Hamilton county, Ohio, to be a Director of Longview Asylum for the period of five years, from May 20, 1879.

Very respectfully,

RICHARD M. BISHOP.

Mr. Seitz moved that said communication be referred to the committee on Benevolent Institutions.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 10, nays 12, as follow :

Those who voted in the affirmative were—

Messrs. Beebe, Carson, Forrest, Grove, Owens, Parker, Saltzgaber, Seitz, Tyler and Williams—10.

Those who voted in the negative were—

Messrs. Benson, Carlisle, Curtiss, Fisher, Irvine, Kelley, Krimmel, Sabine, Sherrick, Steedman, Wagener and Wilson—12.

So the motion was disagreed to.

Mr. Carlisle moved that said communication be laid on the table.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 16, nays 6, as follow.

Those who voted in the affirmative were—

Messrs. Armstrong, Carlisle, Carson, Fisher, Grove, Irvine, Krimmel, McDonald, Owens, Parker, Saltzgaber, Seitz, Steedman, Tyler, Wagener and Williams—16.

Those who voted in the negative were—

Messrs. Benson, Curtiss, Kelley, Richards, Sabine and Wilson—6.

So the motion was agreed to.

Leave of absence was asked and obtained for Mr. Stokes for this week.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The Speaker of the House of Representatives has, in the presence of the House, signed the following joint resolution:

H. J. R. No. 110—Mr. Eylar—Providing for the printing and binding of 600 extra copies of the Adjutant-general's report for the year 1878.

Attest:

L. A. BRUNNER, *Clerk.*

The President, in presence of the Senate, signed said joint resolution. On motion of Mr. Wagener, the Senate adjourned.

Attest:

ALLEN O. MYERS, *Clerk.*

SATURDAY, May 3, 1879—10 o'clock A.M.

The Senate met pursuant to adjournment.

The Journal was read and approved.

Bills were read the second time and referred, as follows:

H. B. No. 837—Mr. Swain—To amend, revise and consolidate the statutes relating to police regulations.

Committee on the Judiciary.

S. B. No. 356—Mr. Benson—To amend section fourteen of an act entitled an act to better provide for the organization, regulation and management of Hospitals for the Insane, passed March 27, 1876, (O. L., Vol. 73, p. 84.)

Committee on Benevolent Institutions.

S. B. No. 357—Mr. Saltzgaber—To provide for printing and distributing the laws of the present session, and the revised statutes, in permanent form.

Committee on Public Printing.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives insists on its amendments to—

S. B. No. 236—Mr. Richards—To amend section eleven, of chapter one, division eight of an act entitled an act to amend, revise and consolidate the statutes relating to municipal corporations, to be known as title twelve, part one of the act to revise and consolidate the general statutes of Ohio—and requests the appointment of a committee of Conference.

Attest:

L. A. BRUNNER, *Clerk.*

Mr. Richards moved that the Senate accede to the request of the House.

Which was agreed to.

The President appointed Messrs. Richards, Marsh and Armstrong as such Conference committee on part of the Senate.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has concurred in Senate amendments to—

H. B. No. 639—Mr. Clough—Revising and consolidating the statutes relating to public buildings.

Attest:

L. A. BRUNNER, *Clerk*.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The Speaker of the House of Representatives has, in the presence of the House, signed the following bills and joint resolution:

S. B. No. 290—Mr. Owens—To amend section one, of chapter two, of division four of title one of an act entitled an act to revise and consolidate the laws relating to civil procedure in Courts of Common Pleas and Superior Courts, in District Courts on appeal, and also the laws relating to procedure in error, mandamus, and quo warranto, passed May 14, 1878, (O. L., Vol. 75, p. 668.)

S. B. No. 237—Mr. Beer—To amend section fourteen, of chapter three, of division four, of the act relating to municipal corporations, (75, O. L., 308.)

S. B. No. 194—Mr. Williams—To amend section two, of chapter five of title thirteen of an act to amend and revise the statutes for taxation, to be known as title thirteen, part one of the act to revise and consolidate the general statutes, passed May 11, 1878, (O. L., Vol. 75, p. 472.)

S. J. R. No. 88—Mr. Jackson of Clinton—Allowing *per diem* to the widow of the late Hon. M. S. Creamer.

H. B. No. 621—Mr. Edwards—Supplemental to an act entitled an act to punish certain offenses therein named, passed April 27, 1878, (Vol. 75, p. 124), and also supplementary to an act entitled an act supplementary to an act to amend, revise and consolidate the statutes relating to crimes and offenses, and to repeal certain acts therein named, to be known as title one, crimes and offenses, part four of the act to revise and consolidate the general statutes of Ohio, passed May 5, 1877, passed May 10, 1878, (Vol. 75, p. 141.)

H. B. No. 957—Mr. Brown of Putnam—To authorize the Commissioners of Putnam county to issue bonds to raise money to redeem certain outstanding bonds.

H. B. No. 953—Mr. Wolf—To authorize the village of Logan, Hocking county, Ohio, to erect a building for a town-hall, market-house, Mayor's office, village prison, etc., to borrow money and issue bonds therefor.

Attest:

L. A. BRUNNER, *Clerk*.

The President, in presence of the Senate, signed said bills and joint resolution.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has concurred in the passage of the following bill:

S. B. No. 296 Mr. Jackson of Perry—Relative to the alteration of plats of lots not within municipal corporations—with the following amendments, in which the concurrence of the Senate is requested:

In section 1, line 8, after the word "county," insert the following words: "and entered for transfer in the office of the county auditor."

In same section, line 11, strike out all after the word "effect," down to and including the word "owner," in line 12, and add the following: "any property on a street passing through such allotment or part thereof, or the property or appurtenances of any lotowner in such original plat, without first obtaining the written consent of the owners of the property so abutting on said street and of the owners of the lots in such original plat."

In section 1, of line 2, strike out the words "who may have"; and in line 3, strike out the words "hereafter shall lay out," and insert the words "which shall hereafter be laid out."

Attest:

L. A. BRUNNER, *Clerk.*

On motion of Mr. Curtiss, said bill and amendments were laid on the table.

Leave of absence was asked and obtained for Mr. Beebe for to-day, and for all of next week.

Mr. Richards submitted the following report:

The joint committee on Enrollment has examined, and found correctly enrolled, the following bills and joint resolutions:

S. B. No. 194—To amend section two, of chapter five, of title thirteen of an act to amend and revise the statutes for taxation, to be known as title thirteen, part one of the act to revise and consolidate the general statutes, passed May 11, 1878, (O. L., Vol. 57, p. 472).

S. B. No. 290—To amend section one, chapter two, of division four, of title one of an act entitled an act to revise and consolidate the laws relating to civil procedure in Courts of Common Pleas and Superior Courts, in District Courts on appeal, and also the laws relating to procedure in error, mandamus and quo warranto, passed May 14, 1878, (O. L., Vol. 75, p. 668).

S. J. R. No. 88—Allowing *per diem* to the widow of the late Hon. M. S. Creamer.

S. B. No. 237—To amend section fourteen, of chapter three, of division four of the act relating to municipal corporations, (O. L., Vol. 75, p. 308.)

R. G. RICHARDS,	C. F. KRIMMEL,
J. W. WASHBURN,	WM. JESSUP,
C. R. HARMON,	DUNCAN DOW.

Mr. Fisher submitted the following report:

The committee on Revision has examined, and found correctly engrossed, H. B. No. 964.

J. C. FISHER,
G. M. SALTZGABER,
G. W. WILSON.

H. B. No. 897—Mr. Dunham—To authorize the Trustees of Sandusky township, Sandusky county, Ohio, to issue bonds to the amount of twelve hundred dollars, for the purpose of paying certain indebtedness of said township—was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 19, nays none, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Benson, Carlisle, Carson, Curtiss, Fisher, Forrest, Irvine, Kelley, Marsh, McDonald, Owens, Parker, Sabine, Seitz, Steedman, Tyler, Wagener and Wilson—19.

So the bill passed. The title was agreed to.

The following bill was introduced, and read the first time :

S. B. No. 358—Mr. Benson—To amend section thirty-five of an act entitled an act to amend, revise and consolidate the statutes relating to crimes and offenses, passed April 10 1878, (O. L., Vol. 75, p. 108.)

Mr. Armstrong submitted the following report :

The standing committee on Claims, to whom was referred H. B. No. 967—Providing for the relief of Wm. M. Corry—having had the same under consideration, report it back, and recommend its passage.

J. M. ARMSTRONG,	JOHN C. McDONALD,
D. D. BEEBE,	H. SABINE,
J. B. WILLIAMS,	G. A. GROVE.

Said bill was ordered to be engrossed and read the third time on Tuesday next.

Mr. Tyler submitted the following report :

The standing committee on Railroads, Telegraphs and Turnpikes, to whom was referred S. B. No. 354—Relating to incorporated villages having a population of not more than one thousand and thirty-seven, and not less than one thousand and thirty-six by the federal census of 1870—having had the same under consideration, report it back, and recommend its passage.

GEO. P. TYLER,	H. C. LORD,
J. M. CARSON,	H. SABINE.

Said bill was ordered to be engrossed and read the third time on Tuesday next.

Mr. Owens moved to reconsider the vote whereby S. B. No. 244 was lost. Which was agreed to.

On motion of Mr. Owens, said bill was laid on the table.

Leave of absence was asked and obtained for Mr. Marsh for Monday next.

Mr. Forrest submitted the following report :

The committee of Conference, to whom were referred the matters of difference between the two Houses on S. B. No. 205, having had the same under consideration, recommend that the Senate concur in House amendment of section 20, chapter 3, division 4, page 194, when amended as follows :

Insert on line 7, after the word "requires," the words "and stenographers in such other counties shall receive for their services not more than seven dollars each *per diem*, which shall be taxed as other costs, but, except in criminal causes, in no event shall said services be paid out of the county treasury."

And recommend that the Senate concur in House amendment of section 1, chapter 8, division 4, page 229, when amended as follows: add at end of section the words: "but the provisions of this section shall not apply to attorneys heretofore admitted."

And recommend that the Senate concur in House amendment to section 2, chapter 8, division 4, page 229, when same is amended as follows strike out the words "the court or two of the Judges," on lines 2 and 3, and insert after the word "by," on line 2, the words "some person or persons learned in the law, appointed by said court for that purpose."

And recommend that the House of Representatives concur in said amendments when thus amended.

W. T. FORREST,
JAS. B. STEEDMAN,
H. W. CURTISS,
Committee on part of the Senate.
J. W. WASHBURN,
G. H. FOSTER,
Committee on part of the House.

The question being on agreeing to the report of the committee—

Mr. Carson demanded a division of the question as to each proposition.

The question being on agreeing to first recommendation as to section 20, the yeas and nays were taken, and resulted—yeas 18, nays 2, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beer, Benson, Carlisle, Curtiss, Dungan, Fisher, Forrest, Marsh, McDonald, Owens, Parker, Richards, Sabine, Steedman, Tyler, Wagener and Wilson—18.

Those who voted in the negative were—

Messrs. Howland and Seitz—2.

So the first recommendation of the committee was agreed to.

The question then being on agreeing the second recommendation as to section 1, chapter 8, the yeas and nays were taken, and resulted—yeas 20, nays 2, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beer, Benson, Carlisle, Carson, Curtiss, Dungan, Fisher, Forrest, Irvine, Kelley, Marsh, Owens, Parker, Richards, Sabine, Steedman, Tyler, Wagener and Wilson—20.

Those who voted in the negative were—

Messrs. McDonald and Seitz—2.

So said second recommendation of the committee was agreed to.

The question then being on agreeing to the third recommendation as to section 2, chapter 8, the yeas and nays were taken, and resulted—yeas 21, nays none, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beer, Benson, Carlisle, Carson, Curtiss, Dungan, Fisher, Forrest, Howland, Kelley, Marsh, McDonald, Owens, Parker, Richards, Sabine, Seitz, Steedman, Tyler and Wagener—21.

So said third recommendation, being the last, was agreed to, and the report of the committee was thus concurred in.

Mr. Carlisle submitted the following report :

The standing committee on Roads and Highways, to whom was referred H. B. No. 1015—To authorize the Commissioners of Ross county to cut down and grade Demoss Hill—having had the same under consideration, report it back, and recommend its passage.

B. W. CARLISLE, J. C. McDONALD,
JOHN H. BENSON, LINDSEY KELLEY.
J. B. WILLIAMS,

Said bill was ordered to be engrossed and read the third time on Tuesday next.

Mr. Richards submitted the following report :

The joint committee on Enrollment has examined, and found correctly enrolled, the following bill and joint resolution :

H. B. No. 986—Supplemental to an act authorizing the Trustees of Madison township, Clarke county, Ohio, to join with the Council of the incorporated village of South Charleston, in the construction of a town-hall for the joint use of said township and village, passed April 8, 1876, (73, O. L., 292-293.)

H. J. R. No. 102—As to printing of eighteen thousand copies of the report of State Commissioner of Common Schools.

R. G. RICHARDS,	IRVINE DUNGAN,
F. M. CARTER,	A. D. MARSH,
WM. JESSUP,	DUNCAN DOW,
J. W. WASHBURN,	C. R. HARMON.
E. S. PERKINS,	

On motion of Mr. Owens, the Senate adjourned.

Attest:

ALLEN O. MYERS, *Clerk.*

MONDAY, May 5, 1879—10 o'clock A.M.

The Senate met pursuant to adjournment.

Prayer by Rev. I. F. King.

The Journal was read and approved.

The following bill was read the second time, and referred to the committee on Fish Culture and Game:

S. B. No. 358 - Mr. Benson—To amend section thirty-five of an act entitled an act to amend, revise and consolidate the statutes relating to crimes and offenses, passed April 10, 1878, (O. L., Vol. 75, p. 108).

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has refused to concur in the report of the committee of Conference on—

S. B. No. 205—Mr. Forrest - Revising the statutes relating to the judicial department—and asks for another committee of Conference.

Attest:

L. A. BRUNNER, *Clerk.*

Mr. Forrest moved that the request of the House be acceded to.

Which was agreed to, and the President *pro tem.* appointed Messrs. Saltzgaber, Richards and Lord as such committee on part of the Senate.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has appointed Messrs. Dodds, Wright and Carpenter a committee of Conference on part of the House, to consider the differences existing between the two Houses on S. B. No. 236, by Mr. Richards.

Attest:

L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The House of Representatives has concurred in Senate amendments to—

H. B. No. 964—Mr. Reed of Ross—To amend the act of May 11, 1878, entitled an act to amend, revise and consolidate the statutes relating to taxation, to be known as title thirteen, part one of the act to revise and consolidate the general statutes, (75 Vol., p. 436).

Attest :

L. A. BRUNNER, *Clerk.*

On motion of Mr. Curtiss, the Senate took a recess.

THREE O'CLOCK P.M.

Mr. Fisher submitted the following report:

The committee on Revision has examined, and found correctly engrossed, H. B. No. 782 and S. B. No. 203.

J. C. FISHER,
J. M. CARSON.

Leave of absence was asked and obtained for Mr. Armstrong for to-day, for Mr. Johnston until Thursday next, for Mr. Dungan until to-morrow, and for Mr. Jackson of Perry until Wednesday next.

On motion of Mr. Lord, the Senate adjourned.

Attest :

ALLEN O. MYERS, *Clerk.*

TUESDAY, *May* 6, 1879—10 O'CLOCK A.M.

The Senate met pursuant to adjournment.

The Journal was read and approved.

H. B. No. 967—Mr. Dodds—Providing for the relief of W. M. Corry—was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 24, nays none, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beer, Benson, Carlisle, Carson, Curtiss, Fisher, Forrest, Grove, Jackson of Clinton, Joy, Lord, Marsh, McDonald, Owens, Parker, Richards, Saltzgaber, Seitz, Steedman, Stokes, Tyler, Wagener and Williams—24.

So the bill passed. The title was agreed to.

H. B. No. 1015—Mr. Reed of Ross—To authorize the Commissioners of Ross county to cut down and grade Demoss Hill—was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 22, nays none, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beer, Benson, Carlisle, Carson, Curtiss, Fisher, Forrest, Grove, Jackson of Clinton, Lord, McDonald, Owens, Parker

Richards, Seitz, Sherrick, Steedman, Stokes, Tyler, Wagener and Williams—22.

So the bill passed. The title was agreed to.

S. B. No. 354—Mr. Tyler—Relating to incorporated villages having a population of not more than one thousand and thirty-seven, and not less than one thousand and thirty-six by the federal census of 1870—was read the third time.

Mr. Tyler moved to refer the bill to a select committee of one, with instructions to amend as follows:

Section 1, line 10, strike out the word "one," and insert in lieu thereof the word "three".

Which was agreed to, and Mr. Tyler was appointed such committee, and reported the bill back amended as instructed.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 21, nays 2, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Beer, Benson, Carlisle, Carson, Curtiss, Grove, Jackson of Clinton, Joy, Krimmel, Lord, Marsh, McDonald, Owens, Richards, Sabine, Steedman, Stokes, Tyler, Wagener and Williams—21.

Those who voted in the negative were—

Messrs. Fisher and Forrest—2.

So the bill passed. The title was agreed to.

Mr. Beer submitted the following report:

The standing committee on Common Schools and School Lands, to whom was referred S. B. No. 351—To amend section two of an act to authorize the creation of an additional school sub-district in Beaver Creek township, Greene county, Ohio, passed March 31, 1879—having had the same under consideration, report it back, with the following amendments and recommend its passage when so amended:

In section 1, line 6, strike out the words "two thousand," and insert: "seventeen hundred"; and at the end of line eleven, same section, add: "and to anticipate the collection of said tax, the board of education of said township is required to borrow said amount of money, or whatever portion thereof is necessary, at a rate of interest not exceeding six per cent. per annum, and issue bonds therefor, payable at such times as will correspond with the collection of said tax, which shall, so far as necessary, be applied to pay the same."

THOS. M. BEER,	G. A. GROVE,
R. G. RICHARDS,	H. C. LORD.
D. WAGENER,	

Said amendments were agreed to.

Mr. Curtiss moved that the bill be engrossed and read the third time now.

Mr. Carson moved that said bill be placed on the calendar for third reading on Saturday next.

Which was disagreed to.

The question recurring on Mr. Curtiss' motion, the yeas and nays were demanded, taken, and resulted—yeas 21, nays 3, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Beer, Benson, Curtiss, Fisher, Forrest, Grove, Howland, Jackson of Clinton, Joy, Lord, Marsh, Owens, Richards, Sabine, Sherrick, Steedman, Stokes, Tyler, Wagener and Williams—21.

Those who voted in the negative were—

Messrs. Carlisle, Carson and McDonald—3.

So the motion was agreed to, and the bill was engrossed and read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 21, nays 1, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beer, Benson, Carlisle, Curtiss, Forrest, Grove, Howland, Jackson of Clinton, Joy, Krimmel, Lord, Marsh, Owens, Parker, Richards, Sabine, Steedman, Stokes, Tyler, Wagener and Williams—21.

Mr. Fisher voted in the negative.

So the bill passed. The title was agreed to.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The House of Representatives has passed the following bills, in which the concurrence of the Senate is requested :

H. B. No. 1003—Mr. Swaim—Regulating the issuing and taking up of tickets and coupons of tickets by common carriers, and defining the rights of holders thereof, and other matters in relation thereto.

H. B. No. 610—Mr. Van Cleaf—Revising the statutes relating to the Executive Department.

Attest :

L. A. BRUNNER, *Clerk.*

Said bills were read the first time.

Mr. Sherrick moved that H. B. No. 894 be taken from the table.

Which was agreed to.

The question being on agreeing to the amendments reported by the Finance committee—

Amendments Nos. 1, 3, 4, 5, 6, 7, 8, 9, 11, 12, 13, 15 and 16 were agreed to.

Mr. Carlisle moved that amendment No. 2 be passed informally.

Which was agreed to.

Mr. Sherrick moved that amendment No. 10 be amended by striking out "fifteen hundred", and inserting in lieu thereof "one thousand."

Which was agreed to.

Amendment No. 10 as amended was then agreed to.

Amendment No. 14 was disagreed to.

Mr. Sherrick moved to amend amendment No. 17 as follows :

Insert : "for constructing a telegraph line to Delaware, \$500.00."

Which was agreed to.

On motion of Mr. Beer, the Senate took a recess.

THREE O'CLOCK P.M.

When the Senate took a recess, it had under consideration H. B. No. 894, the question being on agreeing to amendment No. 17 as amended.

Mr. Richards moved to further amend said amendment by striking out "five hundred," and inserting : "one thousand."

On which motion the yeas and nays were demanded, taken, and resulted—yeas 16, nays 11, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beer, Benson, Grove, Howland, Jackson of Clinton, Joy, Kelley, Krimmel, Marsh, Richards, Sabine, Steedman, Tyler, Williams and Wilson—16.

Those who voted in the negative were—

Messrs. Carlisle, Carson, Fisher, Forrest, Lord, Owens, Parker, Saltzgaber, Seitz, Sherrick and Stokes—11.

So the motion was agreed to.

The question being on agreeing to amendment No. 17, as amended, the yeas and nays were demanded, taken, and resulted—yeas 15, nays 10, as follow :

Those who voted in the affirmative were—

Messrs. Beer, Benson, Grove, Howland, Jackson of Clinton, Joy, Kelley, Krimmel, Marsh, Richards, Sabine, Stokes, Tyler, Williams and Wilson—15.

Those who voted in the negative were—

Messrs. Carlisle, Carson, Fisher, Forrest, Lord, Parker, Saltzgaber, Seitz, Sherrick and Steedman—10.

So said amendment as amended was agreed to.

The question being on agreeing to amendment No. 18, the yeas and nays were demanded, taken, and resulted—yeas 13, nays 14, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Benson, Carlisle, Carson, Fisher, Forrest, Howland, Joy, Marsh, McDonald, Parker, Seitz and Sherrick—13.

Those who voted in the negative were—

Messrs. Curtiss, Jackson of Clinton, Kelley, Krimmel, Lord, Owens, Richards, Sabine, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—14.

So said amendment was disagreed to.

The question being on agreeing to amendment No. 19, the yeas and nays were demanded, taken, and resulted - yeas 11, nays 16, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Benson, Carson, Fisher, Forrest, Howland, Joy, McDonald, Parker, Seitz and Sherrick—11.

Those who voted in the negative were—

Messrs. Beer, Carlisle, Jackson of Clinton, Kelley, Krimmel, Lord, Marsh, Owens, Richards, Sabine, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—16.

So said amendment was disagreed to.

The question being on agreeing to amendment No. 20—

Mr. Forrest moved to amend the matter proposed to be stricken out by striking out the words "twenty-five hundred," and inserting "twenty-five thousand."

Mr. Steedman demanded a division of the question.

The question being on striking out, the yeas and nays were demanded, taken, and resulted—yeas 11, nays 12, as follow :

Those who voted in the affirmative were—

Messrs. Benson, Carson, Fisher, Forrest, Howland, Jackson of Clinton, Joy, Parker, Seitz, Sherrick and Williams—11.

Those who voted in the negative were—

Messrs. Carlisle, Curtiss, Kelley, Krimmel, Lord, Owens, Richards, Sabine, Steedman, Stokes, Tyler and Wilson—12.

So the Senate refused to strike out.

The question recurring on agreeing to amendment No. 20, the yeas

and nays were demanded, taken, and resulted—yeas 19, nays 7, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Benson, Carson, Curtiss, Fisher, Forrest, Howland, Jackson of Clinton, Joy, Kelley, Lord, McDonald, Parker, Saltzgaber, Seitz, Sherrick, Tyler, Williams and Wilson—19.

Those who voted in the negative were—

Messrs. Carlisle, Krimmel, Marsh, Owens, Sabine, Steedman and Stokes—7.

So said amendment was agreed to.

The question being on agreeing to amendment No. 21, the yeas and nays were demanded, taken, and resulted—yeas 10, nays 15, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Carson, Fisher, Forrest, Joy, McDonald, Parker, Saltzgaber, Seitz and Sherrick—10.

Those who voted in the negative were—

Messrs. Benson, Carlisle, Jackson of Clinton, Kelley, Krimmel, Lord, Owens, Richards, Sabine, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—15.

So said amendment was disagreed to.

Amendment No 22 was agreed to.

Amendment No 2, informally passed, was then taken up.

Mr. Benson moved to amend said amendment by striking out “nine thousand,” and inserting in lieu thereof “four thousand.”

Which was agreed to.

Said amendment No. 2, as amended, was then agreed to.

Mr. Steedman moved to amend said bill as follows :

Strike out of line 80 “\$8,000.00,” and insert “\$11,000.00”; and insert between lines 80, and 81, the following: “Provided, that the Attorney-general may require the transfer of the inmates to the Ohio Reform School, when there is room, and when such transfer is made, the unexpended balance of said eleven thousand dollars (\$11,000) shall be placed to the credit of the Ohio Reform School.”

Which was agreed to.

Mr. Joy moved to further amend said bill as follows :

In line 103, strike out “forty-eight thousand seven hundred dollars”, and insert : “fifty eight thousand and seven hundred dollars”.

Which was disagreed to.

Said bill was then ordered to be engrossed and read the third time to-morrow, and made the special order of the hour for 11 o'clock A. M.

Mr. Steedman moved to take from the table the nomination of Chas. S. Muscroft, Sr., as Trustee of Longview Asylum.

Mr. Seitz moved that the Senate adjourn.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 5, nays 12, as follow :

Those who voted in the affirmative were—

Messrs. Benson, Marsh, Seitz, Stokes and Williams—5.

Those who voted in the negative were—

Messrs. Armstrong, Carlisle, Carson, Curtiss, Fisher, Joy, Krimmel, Lord, Sherrick, Steedman, Tyler and Wagener—12.

So the motion was disagreed to.

The question being on taking said nomination from the table, the yeas and nays were demanded, taken, and resulted—yeas 15, nays 3, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Benson, Carlisle, Carson, Fisher, Joy, Krimmel, Lord, McDonald, Owens, Parker, Sherrick, Steedman, Tyler and Wagener—15.

Those who voted in the negative were—

Messrs. Marsh, Saltzgaber and Seitz—3.

So the motion was agreed to.

The question being on advising and consenting to said appointment, the yeas and nays were ordered, taken, and resulted—yeas 16, nays 1, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Carlisle, Carson, Fisher, Joy, Krimmel, Lord, Owens, Parker, Saltzgaber, Sherrick, Steedman, Stokes, Tyler, Wagener and Williams—16.

Mr. Benson voted in the negative.

So the Senate refused to advise and consent to said appointment.

On motion of Mr. Marsh, the Senate adjourned.

Attest:

ALLEN O. MYERS, *Clerk.*

WEDNESDAY, May 7, 1879—10 o'clock A.M.

The Senate met pursuant to adjournment.

Prayer by Rev. I. F. King.

The Journal was read and approved.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The House of Representatives has agreed to the report of the Conference committee on—

H. B. No. 643—Mr. Groschner—Revising the statutes relating to the legislative department—and subsequently reconsidered the vote whereby the above report was agreed to, for the purpose of referring it to the committee on Consolidated Laws.

Attest:

L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The House of Representatives has concurred in the passage of the following bill:

S. B. No. 341—Mr. Johnston—To authorize the Council of the village of Canfield, Mahoning county, Ohio, to levy a tax for the construction and repair of sidewalks—with the following amendment, in which the concurrence of the Senate is requested:

Insert in line 3, section 1, after the word "tax," the words "not exceeding two mills.

Attest:

L. A. BRUNNER, *Clerk.*

The question being on concurring in said amendment, the yeas and nays were taken, and resulted—yeas 17, nays none, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beer, Benson, Carlisle, Carson, Curtiss, Fisher, Forrest, Kelley, Lord, Marsh, Richards, Sabine, Steedman, Tyler, Wagener and Wilson—17.

So the Senate concurred in said amendment.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has appointed Messrs. Wright, Meuser and Oglevee a committee of Conference on part of the House, to consider the differences between the two Houses on S. B. No. 205, by Mr. Forrest.

Attest: L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has adopted the following joint resolution, in which the concurrence of the Senate is requested:

H. J. R. No. 98—Mr. Jessup—Relating to certain lands in Hamilton county forfeited to the State.

Attest: L. A. BRUNNER, *Clerk.*

On motion of Mr. Marsh, said joint resolution was referred to the committee on Claims.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bills, in which the concurrence of the Senate is requested:

H. B. No. 912—Mr. Wright—To authorize cities of the first grade of the first class to exchange coupon bonds for registered bonds of said cities.

H. B. No. 1014—Mr. Crosson—To authorize the transfer of certain funds therein named, now in the village treasury of Loveland, Clermont county.

H. B. No. 1004—Mr. Cowgill—To authorize the Commissioners of Champaign county to make repairs, alterations and additions to the Court-house in said county.

H. B. No. 593—Mr. Brown of Putnam—Revising the statutes relating to drainage.

H. B. No. 674—Mr. Sextro—Revising and consolidating the statutes relating to counties.

H. B. No. 1013—Mr. Washburn—To authorize the Commissioners of Pike county to build an improved road, and the Board of Public Works to grant certain rights.

Attest: L. A. BRUNNER, *Clerk.*

Said bills were read the first time.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has concurred in the passage of the following bill:

S. B. No. 277—Mr. Steedman—Granting right of way over certain lands belonging to the State of Ohio, and over the Miami and Erie canal and Swan creek, in the city of Toledo, to the Toledo and Grand Rapids Railroad Company, for the purpose of constructing, maintaining and operating a railroad—with the following amendments, in which the concurrence of the Senate is requested:

1. In section 1, line 3, after the word “authorized”, insert: “if the interest of the state will be subserved thereby.”

2. In lines 3 and 4, strike out the words “or grant and convey by deed.”

3. At the end of section 1, add: “Provided, that the part so leased shall not exceed thirty feet in width; provided, further, that the said railroad company, or its successors, shall pay to the state the amount of rental agreed upon when the same becomes due, and they and their successors shall permit all other roads of like gauge, who desire to use their track or tracks, for a reasonable compensation, to be fixed by agreement or arbitration, and upon failure to comply with any of the provisions of this act the lease shall be null and void”.

4. In line 22, after the word “due”, add the following: “The said rental may be increased every ten years, at the instance of the board of public works, by five disinterested appraisers, three of whom shall be appointed by said board, and two by said railroad company; before making said appraisement, said appraisers must be duly sworn to faithfully and impartially appraise said lease.”

5. Add at the end of section 1: “Nothing in this grant shall be so construed as to prevent placing said railroad property on the tax duplicate for taxation by the several counties through which it passes.”

Section 1, line 21, to insert before the word “rental”, the word “annual.”

Attest:

L. A. BRUNNER, *Clerk.*

The question being on concurring in said amendments, the yeas and nays were taken, and resulted—yeas 25, nays none, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Benson, Carson, Curtiss, Fisher, Forrest, Howland, Jackson of Clinton, Joy, Kelley, Lord, Marsh, McDonald, Owens, Parker, Richards, Sabine, Saltzgaber, Seitz, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—25.

So the Senate concurred in said amendments.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has concurred in the passage of the following bill:

S. B. No. 221—Mr. Seitz—Supplemental to an act entitled an act to preserve the purity of elections—with the following amendments, in which the concurrence of the Senate is requested:

Insert after the word “to,” line 3, section 1, the word “loan.”

Insert in line 4, same section, after the words “to give,” the words “directly or indirectly.”

Insert in line 6, same section, after the word “influencing,” the words “or retaining.”

Insert in line 9, same section, after the word “secure,” the words “or retain.”

Insert after the word "demands," line 1, section 5, the words "or receives."

Also, strike out the word "or," same line and section, after the word "asks."

Insert after the word "request," line 10, section 5, the words "or receipt."

Also, after the word "demand," line 9, section 5, strike out the word "or."

In section 1, strike out the last clause commencing with the word "any," in line 17.

At end of section 5, add:

SEC. 6. The prosecuting attorney may frame his indictment with any number of counts for different number of offenses against this act that may be committed to effect any one election by any one candidate, and may offer evidence tending to support any or all of said counts, and the jury shall take into consideration all the evidence offered on each of said counts for the purpose of establishing the guilt of the accused, on all or any one of said counts.

After section 5, insert: "No prosecutions shall be instituted under any of the provisions of this act, unless the same shall be commenced within six months after the commission of the offense."

Attest:

L. A. BRUNNER, *Clerk,*

On motion of Mr. Seitz, said bill and amendments were referred to the committee on the Judiciary.

Mr. Richards submitted the following report:

The committee of Conference, to whom was referred the matters of difference between the two Houses on S. B. No. 236, having had the same under consideration, recommend that the Senate recede from its objections, and recommend that the House agree to the following amendment:

At the end of section 1, add the following: "and provided, further, that the said board shall at all times have the right to enter said premises, and examine into any waste or unnecessary use of the water, and may at any time revoke the grant of said free use of water."

R. G. RICHARDS,
THEO. MARSH,
J. M. ARMSTRONG,

Committee on part of the Senate.

J. L. CARPENTER,
I. B. WRIGHT,
MILO G. DODDS,

Committee on part of the House.

The question being on agreeing to said report, the yeas and nays were taken, and resulted—yeas 24, nays none, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Beer, Benson, Carlisle, Carson, Curtiss, Fisher, Forrest, Howland, Jackson of Clinton, Joy, Kelley, Lord, Marsh, McDonald, Owens, Parker, Richards, Sabine, Seitz, Sherrick, Stokes, Tyler and Wilson—24.

So said report was agreed to.

Mr. Grove presented the remonstrance of Breene Brothers and 175 other citizens of the city of Dayton, Montgomery county, against the passage of H. B. No. 1003, regulating the sale of railroad tickets.

Which was referred to the committee on Railroads, Telegraphs and Turnpikes.

Mr. Seitz presented the remonstrance of Hon. Geo. E. Seney and 146 other citizens of Tiffin, Seneca county, remonstrating against the passage of Mr. Swaim's House Bill, relating to traffic in railroad tickets.

Which was referred to the committee on Railroads, Telegraphs and Turnpikes.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has agreed to the report of the committee of Conference on—

S. B. No. 236—Mr. Richards—To amend section eleven, of chapter one, division eight of an act entitled an act to amend, revise and consolidate the statutes relating to municipal corporations, to be known as title twelve, part one of the act to revise and consolidate the general statutes of Ohio.

Attest:

L. A. BRUNNER, *Clerk.*

Mr. Forrest presented the remonstrance of Frank E. Dellinbaugh and 150 other citizens of Cuyahoga county, against the passage of H. B. No. 1003.

Which was referred to the committee on Railroads, Telegraphs and Turnpikes.

Mr. Forrest presented the remonstrance of H. T. Chittenden and 30 other citizens of Franklin county, against the passage of H. B. No. 1003.

Which was referred to the committee on Railroads, Telegraphs and Turnpikes.

Mr. Richards submitted the following report:

The joint committee on Enrollment has examined, and found correctly enrolled, the following bills:

H. B. No. 967—Providing for the relief of W. M. Corry.

H. B. No. 1015—To authorize the Commissioners of Ross county to cut down and grade Demoss Hill.

H. B. No. 897—To authorize the Trustees of Sandusky township, Sandusky county, Ohio, to issue bonds to the amount of twelve hundred dollars, for the purpose of paying certain indebtedness of said township.

S. B. No. 277—Granting right of way over certain lands belonging to the State of Ohio, and the Miami and Erie canal, and Swan creek, in the city of Toledo, to the Toledo and Grand Rapids Railroad Company, for the purpose of constructing, maintaining, and operating a railroad.

S. B. No. 236—To amend section eleven, of chapter one, division eight of an act entitled an act to amend, revise and consolidate the statutes relating to municipal corporations, to be known as title twelve, part one of the act to revise and consolidate the general statutes of Ohio.

S. B. No. 341—To authorize the Council of the village of Canfield, Mahoning county, Ohio, to levy a tax for the construction and repair of side walks.

R. G. RICHARDS,
C. R. HARMON,
A. D. MARSH,
WM. JESSUP,

C. F. KRIMMEL,
F. M. CARTER,
E. S. PERKINS,
DUNCAN DOW.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The Speaker of the House of Representatives has, in the presence of the House, signed the following bills and joint resolution :

H. B. No. 986—Mr. Oglevee—Supplemental to an act authorizing the Trustees of Madison township, Clarke county, Ohio, to join with the Council of the incorporated village of South Charleston, in the construction of a town-hall for the joint use of said township and village, passed April 8, 1876, (73, O. L., pp. 292 and 293.)

H. B. No. 964—Mr. Reed of Ross—To amend the act of May 11, 1878, entitled an act to amend and revise the statutes relating to taxation, to be known as title thirteen, part one of the act to revise and consolidate the general statutes, (75 Vol., 436.)

H. J. R. No. 102—Mr. Worley—As to the printing of eighteen thousand copies of the report of State Commissioner of Common Schools.

Attest :

L. A. BRUNNER, *Clerk.*

The President, in presence of the Senate, signed said bills and joint resolution.

Mr. Fisher submitted the following report :

The committee of Conference, to whom was referred the matters of difference between the two Houses on H. B. No. 643, having had the same under consideration, recommend the adoption of the following as an amendment, viz. :

Page 15, section 17, after the word "for," in line 2, strike out all to and including the word "dollars," in lines 2 and 3, and insert: "his term of office, the sum of twelve hundred dollars, one-half thereof to be received each year, in monthly installments of not exceeding one hundred and fifty dollars."

Section 17, at end of section add: "But if any member is absent without excuse, or is not excused on his return, there shall be deducted from his said compensation the sum of five dollars for each day of his absence."

J. C. FISHER,

G. M. SALTZGABER,

Committee on part of the Senate.

H. C. GROSCHNER,

J. L. TYLER,

E. S. PERKINS,

Committee on part of the House.

The question being on agreeing to said report, the yeas and nays were taken, and resulted—yeas 22, nays 2, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beer, Benson, Carlisle, Carson, Curtiss, Fisher, Forrest, Jackson of Clinton, Joy, Kelley, Krimmel, Lord, Marsh, McDonald, Sabine, Saltzgaber, Sherrick, Steedman, Tyler, Williams and Wilson—22.

Those who voted in the negative were—

Messrs. Howland and Parker—2.

So said report was agreed to.

Mr. Howland presented the petition of Homer H. Hine, C. J. Richardson and 26 other citizens of Lake county, asking for the passage of some more stringent law for protection against tramps.

Which was laid on the table with the bill upon that subject, to be taken up and considered with the bill.

Mr. Beebe presented the remonstrance of Harvey Baldwin and 63 other citizens of Hudson, Summit county, against the passage of any bill providing for erecting additions to the present school building, or for the erection of a new one in said town.

Which was referred to the committee on Common Schools and School Lands.

Mr. Lord presented the remonstrance of A. D. Smith & Co., and others, citizens of the city of Cincinnati, Hamilton county, against the passage of H. B. No. 1003.

Which was referred to the committee on Railroads, Telegraphs and Turnpikes.

Bills were read the second time and referred, as follows:

H. B. No. 1003—Mr. Swaim—Regulating the issuing and taking up of tickets, and coupons of tickets, by common carriers, and defining the rights of holders thereof, and other matters in relation thereto.

Committee on Railroads, Telegraphs and Turnpikes.

H. B. No. 610—Mr. Van Cleaf—Revising the statutes relating to the executive department.

Committee on the Judiciary.

The following bill was introduced, and read the first time:

S. B. No. 359 Mr. Sabine—To abolish joint sub-district No. 1, in Big Island, and No. 6, in Marion townships, Marion county, Ohio, and to re-adjust the territory thereof.

Mr. Saltzgaber submitted the following report:

The standing committee on Judiciary, to whom was referred H. B. No. 837—To revise, amend and consolidate the statutes relating to police regulations—having had the same under consideration, report it back, with the following amendments, and recommend its passage when so amended:

1. Page 6, chapter 1, strike out line 1, section 13, and insert: "the owner or owners of any dog or dogs that."

2. Page 6, chapter 1, strike out of line 1, section 14, the word "animal," and insert "dog."

3. Page 7, chapter 1, strike out of line 9, section 14, the word "same," and insert: "damage claimed"; and insert at beginning of line 10, section 14, the words: "and also make it appear."

4. Page 7, chapter 1, strike from end of section 16 the words: "except Lake Erie," and insert: "but this section shall not apply to Lake Erie."

5. Page 16, chapter 3, strike out of line 14, section 1, the words "city or village lots in cities and villages, and insert: "lots in municipal corporations."

6. Page 20, chapter 3, strike out section 10.

7. Page 21, chapter 3, after the word "hedge," in line 4, section 14, insert the word "or."

8. Page 25, chapter 4, after the word "evening," in line 7, section 6, insert: "and during the day shall cross the stream at intervals of not longer than fifteen minutes, when any person desires passage."

9. Page 29, chapter 5, before line 6, section 3, insert: "pool or combination."

10. Page 29, chapter 5, in line 5, section 5, strike out "by such action or suit."

11. Page 33, chapter 6, in lines 4 and 5, section 3, strike out "but the treasurer shall not be liable for costs."

12. Page 42, chapter 6, in lines 1 and 2, section 27, strike out "a barrel of fish shall contain two hundred pounds and."

13. Page 40, chapter 6, insert as section 21 $\frac{1}{2}$:

SEC. 21 $\frac{1}{2}$. Whoever, in any of the waters of any creek, river, canal, lake, pond, or reservoir, or in any body of water, whether artificial or natural, lying within the state of Ohio, except the waters of Lake Erie, injures or kills, or catches, in any other way than by hook and line, any fish, except minnows, or owns or possesses any fish pond, fish-net, fish-trap, or fish-sein, except seines to catch minnows, in or connected with any of the waters in the state of Ohio, except the waters of Lake Erie, or in any way maliciously disturbs any fish in any private fish-pond, shall be fined for each offense, not more than fifty dollars, nor less than ten dollars, or be imprisoned in the jail of the county not less than ten days, nor more than sixty days.

W. T. FORREST, D. WAGENER,
G. M. SALTZGABER, W. P. HOWLAND.

Said report was made the special order of the hour for 3 o'clock P.M. to-day.

Mr. Forrest submitted the following report:

The standing committee on Judiciary, to whom was referred H. B. No. 909—Authorizing the County Commissioners of Sandusky county, Ohio, to levy an additional tax for county and poor purposes—having had the same under consideration, report it back, and recommend its passage.

W. T. FORREST, G. M. SALTZGABER,
W. P. HOWLAND, D. WAGENER.

Said bill was ordered to be engrossed and read the third time to-morrow.

Mr. Carlisle submitted the following report:

The standing committee on Roads and Highways, to whom was referred H. B. No. 966—To authorize the Commissioners of Butler county, Ohio, to repair and grade Fort Hill—having had the same under consideration, report it back, with the following amendment, and recommend its passage when so amended:

In line 3, section 1, strike out "and required."

B. W. CARLISLE, J. C. McDONALD,
J. B. WILLIAMS, JOHN H. BENSON.
LINDSEY KELLEY,

Said amendment was agreed to, and the bill was ordered to be engrossed and read the third time to-morrow.

Mr. Carson submitted the following report:

The standing committee on Common Schools and School Lands, to whom was referred H. B. No. 958—To allow Boards of Education in certain cases to transfer books from public libraries—having had the same under consideration, report it back, with the following amendments, and recommend its passage when so amended:

Section 1, line 2, after the word "city", insert the following: "having a population of 11,081 at the last federal census."

J. M. CARSON, C. F. KRIMMEL,
R. G. RICHARDS, T. M. BEER.

Said amendment was agreed to, and the bill was ordered to be engrossed and read the third time to-morrow.

Mr. Lord submitted the following report:

The standing committee on Privileges and Elections, to whom was referred S. B. No. 355—To divide the township of New Haven, Huron county, into election precincts—having had the same under consideration, report it back, and recommend its passage.

H. C. LORD, G. M. SALTZGABER,
W. T. FORREST, R. G. RICHARDS.

Said bill was ordered to be engrossed and read the third time to-morrow.

Mr. Marsh submitted the following report:

The standing committee on Fish Culture and Game, to whom was referred S. B. No. 358—To amend section thirty-five of an act entitled an act to amend, revise and consolidate the statutes relating to crimes and offenses, passed April 10 1878, (O. L., Vol. 75, p. 108)—having had the same under consideration, report it back without recommendation.

THEO. MARSH, W. P. HOWLAND,
J. C. FISHER, JAS. B. STEEDMAN.
R. G. RICHARDS,

Said bill was ordered to be engrossed and read the third time now, and was then read.

Mr. Marsh moved to refer the bill to a select committee of one, with instructions to amend as follows:

Add to the end of section 1, as follows: "and that said section thirty-five be and the same is hereby repealed."

Which was agreed to, and Mr. Marsh was appointed such committee, and reported the bill back amended as instructed.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 20, nays 5, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Beer, Benson, Carlisle, Carson, Curtiss, Howland, Jackson of Clinton, Kelley, Krimmel, Marsh, McDonald, Owens, Sabine, Seitz, Sherrick, Steedman, Tyler, Wagener and Wilson—20.

Those who voted in the negative were—

Messrs. Fisher, Forrest, Parker, Stokes and Williams—5.

So the bill passed. The title was agreed to.

Mr. Fisher submitted the following report:

The committee on Revision has examined, and found correctly engrossed, S. B. No. 351.

G. W. WILSON, G. M. SALTZGABER,
J. M. CARSON, J. C. FISHER.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has concurred in Senate amendments Nos. 1, 2, 3 and 4, and amended No. 5 by striking out: "But this act shall not take effect during the official term of the present incumbents," and inserting the following: "But the provisions of the next preceding nineteen sections shall not affect the salary or fees of any officer in

Cuyahoga county during the term for which he may have been elected or appointed before the passage of this act," to—

H. B. No. 782—Mr. Williams—Revising and consolidating the statutes relating to the compensation of Public Officers.

Attest:

L. A. BRUNNER, *Clerk*.

On motion of Mr. Curtiss, said bill and amendment were referred to the committee on Salaries and Fees of public officers.

The Senate then proceeded to the special order of the hour, viz.:

H. B. No. 894—Mr. Alexander—Making appropriations for the fiscal year 1879, and the first quarter of the fiscal year 1880, payable out of the revenue fund.

Said bill was read the third time.

Mr. Steedman moved to refer the bill to a select committee of one, with instructions to amend as follows:

Strike out line 108, and insert the following: "for new buildings and removing old buildings, thirty thousand dollars (\$30,000.)"

Which was agreed to, and Mr. Steedman was appointed such committee, and reported the bill back amended as instructed.

Mr. Krimmel moved to refer the bill to a select committee of one, with instructions to amend as follows:

In line 45, strike out "\$53,000.00," and insert "\$65,000.00."

On which motion the yeas and nays were demanded, taken, and resulted—yeas 12, nays 13, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Benson, Carson, Krimmel, Lord, McDonald, Sabine, Sherrick, Steedman, Tyler, Wagener and Williams—12.

Those who voted in the negative were—

Messrs. Beer, Curtiss, Fisher, Forrest, Howland, Jackson of Clinton, Marsh, Owens, Parker, Richards, Saltzgaber, Seitz and Stokes—13.

So the motion was disagreed to.

Mr. Sherrick moved to refer the bill to a select committee of one, with instructions to amend as follows:

Add after line 74, in section 1: "for plumbing, fourteen hundred and fourteen dollars (\$1,414.00)."

"For walks, roads and enclosures, fifteen hundred dollars (\$1,500.00)."

Which was agreed to, and Mr. Sherrick was appointed such committee, and reported the bill back amended as instructed.

Mr. Sherrick moved to refer the bill to a select committee of one, with instructions to amend as follows:

Strike out in section 1, line 123, "forty-eight thousand seven hundred dollars (\$48,700.00)," and insert: "fifty-five thousand seven hundred dollars (\$55,700.00)."

Which was agreed to, and Mr. Sherrick was appointed such committee, and reported the bill back amended as instructed.

Mr. Sherrick moved to refer the bill to a select committee of one, with instructions to amend as follows:

Strike out in line 130, section 1, "twenty-five hundred dollars", and insert: "forty-five hundred dollars."

Which was agreed to, and Mr. Sherrick was appointed such committee, and reported the bill back amended as instructed.

Mr. Sherrick moved to refer the bill to a select committee of one, with instructions to amend as follows:

Strike out in line 132, "four thousand dollars (\$4000.00)," and insert : "six thousand five hundred dollars (\$6500.00)."

Which was agreed to, and Mr. Sherrick was appointed such committee, and reported the bill back amended as instructed.

Mr. Sherrick moved to refer the bill to a select committee of one, with instructions to amend as follows :

Add after line 132, section 1 : "for enlargement and repairs five thousand nine hundred and forty-two dollars (5,942.00)."

Which was agreed to, and Mr. Sherrick was appointed such committee, and reported the bill back amended as instructed.

Mr. Sherrick moved to refer the bill to a select committee of one, with instructions to amend as follows :

Add after line 132 : "steam heating, ten thousand two hundred and sixty-five dollars (\$10,265.00)".

Which was agreed to, and Mr. Sherrick was appointed such committee, and reported the bill back amended as instructed.

Mr. Krimmel moved to refer the bill to a select committee of one, with instructions to amend as follows :

In line 49, strike out "\$500," and insert "\$1000".

Which was agreed to, and Mr. Krimmel was appointed such committee, and reported the bill back amended as instructed.

Mr. Krimmel moved to refer the bill to a select committee of one, with instructions to amend as follows :

In section 1, line 65, strike out "\$2000", and insert "\$4000".

Which was agreed to, and Mr. Krimmel was appointed such committee, and reported the bill back amended as instructed.

Mr. Krimmel moved to refer the bill to a select committee of one, with instructions to amend as follows :

In section 1, line 80, strike out "\$300", and insert "\$800".

On which motion the yeas and nays were demanded, taken, and resulted—yeas 13, nays 13, as follow :

Those who voted in the affirmative were—

Messrs. Curtiss, Jackson of Clinton, Joy, Kelley, Krimmel, Lord, Richards, Sherrick, Steedman, Tyler, Wagener, Williams and Wilson—13.

Those who voted in the negative were—

Messrs. Armstrong, Beer, Benson, Carson, Fisher, Forrest, Howland, Marsh, McDonald, Parker, Sabine, Seitz and Stokes—13.

So the motion was disagreed to.

Mr. Krimmel moved to refer the bill to a select committee of one, with instructions to amend as follows :

Add after line 80 : "balance due Mr. Gemuender on organ, \$500.00.

Mr. Carlisle moved to amend the instructions by striking out "\$500," and inserting "\$250".

On which motion the yeas and nays were demanded, taken, and resulted—yeas 5, nays 19, as follow :

Those who voted in the affirmative were—

Messrs. Beer, Carlisle, Carson, Jackson of Clinton and Wilson—5.

Those who voted in the negative were—

Messrs. Armstrong, Fisher, Howland, Kelley, Krimmel, Marsh, McDonald, Owens, Parker, Richards, Sabine, Saltzgaber, Seitz, Sherrick, Steedman, Stokes, Tyler, Wagener and Williams—19.

So the motion to amend was disagreed to.

The question recurring on Mr. Krimmel's motion to refer, the yeas and nays were demanded, taken, and resulted—yeas 2, nays 22, as follow :

Those who voted in the affirmative were—

Messrs. Krimmel and Steedman—2.

Those who voted in the negative were—

Messrs. Armstrong, Beer, Benson, Carlisle, Carson, Fisher, Forrest, Howland, Jackson of Clinton, Joy, Kelley, Marsh, McDonald, Owens, Parker, Richards, Sabine, Saltzgaber, Seitz, Stokes, Tyler and Wilson—22.

So the motion was disagreed to.

Mr. Forrest moved to refer the bill to a select committee of one, with instructions to amend as follows:

Strike out line 154.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 10, nays 19, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Carson, Fisher, Forrest, Howland, Joy, Parker, Saltzgaber, Seitz and Sherrick—10.

Those who voted in the negative were—

Messrs. Beer, Benson, Carlisle, Curtiss, Jackson of Clinton, Kelley, Krimmel, Lord, Marsh, McDonald, Owens, Richards, Sabine, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—19.

So the motion was disagreed to.

The question being “Shall the bill pass?” the yeas and nays were taken, and resulted—yeas 20, nays 6, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Benson, Carlisle, Curtiss, Jackson of Clinton, Joy, Krimmel, Lord, Marsh, McDonald, Owens, Parker, Richards, Sabine, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—20.

Those who voted in the negative were—

Messrs. Carson, Fisher, Forrest, Howland, Saltzgaber and Seitz—6.

So the bill passed. The title was agreed to.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has concurred in the passage of the following bill:

S. B. No. 339—Mr. Curtiss—To amend section eight of an act entitled an act for the protection of wool-growers, and the confiscation of dogs, passed May 5, 1877, (page 178)—with the following amendments, in which the concurrence of the Senate is requested:

Section 1, strike out lines 16 and 17 to, and including the word “taxation.”

In line 21, section 1, between the words “county” and “in,” near the end of the line, insert: “having a population of one hundred thousand and less than two hundred thousand”

Section 8, lines 6 and 7, strike out the words “within the first three days of their next regular session in June and December,” and insert the following: “at some regular session within one year thereafter.”

Section 8, strike out the last sentence.

After the word “reasonable,” insert: “he shall make affidavit to his claim and.”

Attest:

L. A. BRUNNER, *Clerk.*

The question being on concurring in said amendments, the yeas and nays were ordered, taken, and resulted—yeas 20, nays 1, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Benson, Carlisle, Curtiss, Forrest, Howland, Jackson of Clinton, Joy, Kelley, Lord, Parker, Richards, Sabine, Saltzgaber, Seitz, Steedman, Stokes, Tyler, Williams and Wilson—25.

Mr. Fisher voted in the negative.

So the Senate concurred in said amendments.

Mr. Carson submitted the following report:

The committee on Revision has examined, and found correctly engrossed, S. B. No. 358.

J. M. CARSON,
J. C. FISHER,
G. M. SALTZGABER.

Mr. Carson submitted the following report:

The standing committee on Common Schools and School Lands, to whom was referred the petition of John B. Beach, E. P. Baker and other citizens of sub-district No. 4, Monroe township, Ashtabula county, praying for a special school district—having had the same under consideration, beg leave to report that, in their judgment, it is not advisable for the General Assembly to take action in local affairs of this nature, until said petitioners have applied for a redress of their grievances to the Board of Education of their township, under the provisions of the general law for that purpose.

J. M. CARSON, H. C. LORD,
D. WAGENER, C. F. KRIMMEL,
R. G. RICHARDS, THOS. M. BEER.

Said report was agreed to.

Mr. Saltzgaber submitted the following report:

The standing committee on Salaries and Fees of Public Officers, to whom was referred the amendment of the House to Senate amendment No. 5 to H. B. No. 782—Revising and consolidating the statutes relating to the compensation of public officers—having had the same under consideration, report it back, and recommend that the Senate concur in the House amendment.

G. M. SALTZGABER, JOHN SEITZ,
THEO. MARSH, H. SABINE,
JOHN H. BENSON, G. W. WILSON.
JAS. B. STEEDMAN,

The question being on agreeing to said report, the yeas and nays were demanded, taken, and resulted—yeas 23, nays 1, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Beer, Benson, Curtiss, Forrest, Howland, Joy, Krimmel, Lord, Marsh, McDonald, Owens, Parker, Richards, Sabine, Saltzgaber, Seitz, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—23.

Mr. Fisher voted in the negative.

So said report was agreed to.

Mr. Saltzgaber moved that the vote whereby said report was agreed to be reconsidered.

Which was agreed to.

Mr. Steedman offered the following joint resolution, which was referred to the committee on Public Buildings:

S. J. R. No. 90: *Be it resolved by the General Assembly of the State of Ohio,*

That room No. 30, of the State House, with the small room thereto attached, now occupied by the Bureau of Labor Statistics, be and the same is hereby assigned to the Board of Public Works, to be used by said Board as an office, and the room now occupied by the Board of Public Works be assigned for the use of the Bureau of Labor Statistics.

Mr. Lord offered the following joint resolution, which was referred to the committee on Insurance:

S. J. R. No. 91: *Be it resolved by the General Assembly of the State of Ohio,* That the Superintendent of Insurance be, and he is hereby instructed to consult with the corresponding officers of the other States of the United States upon the best method of protecting policy-holders in life-insurance companies against loss by the lapse and forfeiture of their policies, and upon the proper form of a statute for that purpose, which shall be uniform in all the States, and to report to the General Assembly at its next session.

On motion of Mr. Joy, the Senate took a recess.

THREE O'CLOCK P.M.

The Senate proceeded to the special order of the hour, viz.: H. B. No. 837, the question being on agreeing to the amendments reported by the committee on Salaries and Fees of Public Officers.

Amendments Nos. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12 and 13 were agreed to.

The report of the committee was thus agreed to, and the bill was ordered to be engrossed and read the third time now, and was then read.

Mr. Carson moved to refer the bill to a select committee of one, with instructions to amend as follows:

Page 70, chapter 14, section 1, line 2, after the word "instruction," insert the following: "of at least twelve weeks each."

Which was agreed to, and Mr. Carson was appointed such committee, and reported the bill back amended as instructed.

Mr. Fisher moved to refer the bill to a select committee of one, with instructions to amend as follows:

Strike out in section 18, of chapter 1, page 8, the words "except in streams where the impurity of the water is such that fish cannot live."

Which was agreed to, and Mr. Fisher was appointed such committee, and reported the bill back amended as instructed.

Mr. Curtiss moved to refer the bill to a select committee of one, with instructions to amend as follows:

Add at the end of chapter 19, the following:

CHAPTER XX.

PAWNBROKERS.

SECTION 1. No person shall carry on or conduct the business or calling of a pawnbroker, or of loaning money on personal property, without having first obtained from the mayor of the municipal corporation in which it is proposed to carry on such business, a license so to do.

SEC. 2. Whoever loans money on deposit or pledges of personal property, or who deals in the purchasing of personal property or choses in action, on condition of selling the same back again at a stipulated price, is hereby defined and declared to be a pawnbroker.

SEC. 3. The mayor of any municipal corporation may grant a pawnbroker's license to any person of good moral character who may apply therefor, when the applicant pays into the treasury of the corporation a sum to be fixed by ordinance, not to exceed two hundred dollars per annum, and executes a bond with surety to the satisfaction of the mayor to the municipal corporation in the sum of five hundred dollars, that the applicant will conform to the requirements of the law and any ordinance of the corporation.

SEC. 4. The person so licensed shall keep a correct list and description, in a book for that purpose, of every article pledged or deposited with him, or on which advances of money have been made, or which may be purchased by him, which list and description shall at all times be open to the inspection of the chief or superintendent of police of the corporation, or of a police officer deputed by him, or by the mayor, to make such inspection; and he shall at all times, when required by the police officer or mayor aforesaid, produce and show any article so listed and described which may be in his possession; he shall also register in such book the name and place of residence of the depositor, and time when the deposit was made; all the entries shall be written in ink in the English language, and no entry shall be erased, obliterated or defaced.

SEC. 5. Every person so licensed shall prepare and deliver to the mayor every day, before the hour of twelve o'clock M., a legible and correct copy from such registry of the description of all personal property, bonds, notes or other securities received on deposit or purchased during the preceding day, together with the hour at which the article was received, together with a description of the person by whom left in pledge or from whom the same were purchased.

SEC. 6. No bond, note, security, or personal property of any kind, received on deposit, purchased or pledged by any such pawnbroker, shall be sold or permitted to be redeemed or removed from his place of business of such pawnbroker for the space of twenty-four hours after the copy and statement provided for in the last section has been delivered.

SEC. 7. No person licensed as aforesaid shall receive on deposit or purchase any personal property, bonds, notes, securities, or article, property, or thing as such pawnbroker, before the hour of six o'clock A.M., nor after the hour of eight o'clock P.M., during the months of January, February, March, April, October, November and December of each year, nor before the hour of five A.M., nor after the hour of nine P. M., during the months of May, June, July, August and September of each year.

SEC. 8. No person licensed as aforesaid shall take or receive in pawn or pledge for money loaned, or shall take, receive or purchase within the line of his business as a pawnbroker, any property, bonds, notes, securities, article or thing whatsoever from any minor, or the ownership of which is in or which is claimed by any minor or which may be in the possession or under the control of any minor, or a person appearing to be intoxicated, a person known to be a notorious thief, or a person known to have been convicted of larceny or burglary.

SEC. 9. No such person shall carry on any other business or avocation, directly or indirectly, in the same building in which such business of pawnbroking is carried on, nor employ any person under the age of sixteen years to take pledges in pawn.

SEC. 10. The mayor may revoke a license at any time, and it shall be his duty so to do upon the conviction of any such person of a violation of any of the provisions of this chapter.

SEC. 11. A person convicted of a violation of any provision of this chapter, where no other penalty is provided for, shall be fined not less than ten, nor more than two hundred dollars.

Mr. Saltzgaber moved to amend the instructions as follows :

In lines 3 and 4, section 2, strike out "deals in the purchasing of," and insert "purchases."

Which was agreed to.

Said motion to refer was agreed to, and Mr. Curtiss was appointed such committee, and reported the bill back amended as instructed.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 19, nays 1, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beer, Benson, Carson, Curtiss, Fisher, Forrest, Howland, Joy, Kelley, Marsh, McDonald, Owens, Parker, Saltzgaber, Seitz, Sherrick, Wagener and Williams—19.

Mr. Richards voted in the negative.

So the bill passed. The title was agreed to.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The Speaker of the House of Representatives has, in the presence of the House, signed the following bills :

S. B. No. 277—Mr. Steedman—Granting right of way over certain lands belonging to the State of Ohio, and over the Miami and Erie canal and Swan creek, in the city of Toledo, to the Toledo and Grand Rapids Railroad Company, for the purpose of constructing, maintaining and operating a railroad.

S. B. No. 236—Mr. Richards—To amend section eleven, of chapter one, division eight of an act entitled an act to amend, revise and consolidate the statutes relating to municipal corporations, to be known as title twelve, part one of the act to revise and consolidate the general statutes of Ohio.

S. B. No. 341—Mr. Johnston—To authorize the Council of the village of Canfield, Mahoning county, Ohio, to levy a tax for the construction and repair of sidewalks.

Attest :

L. A. BRUNNER, *Clerk.*

The President, in presence of the Senate, signed said bills.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The House of Representatives has concurred in Senate amendments Nos. 1, 3, 4, 6, 8, 9, 10, 11 and 13, and has refused to concur in Nos. 2, 5, 7 and 12, to

Amended H. B. No. 119—Mr. Swaim—To amend and revise the statutes relating to elections, to be known as title fourteen, part one of the act to revise and consolidate the general statutes.

Attest :

L. A. BRUNNER, *Clerk.*

On motion of Mr. Forrest, the Senate insisted on its amendments to said bill, and requested a committee of Conference.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has refused to concur in the passage of—

S. B. No. 196—Mr. Benson—To amend an act to abolish public execution, passed March 12, 1844, (S. & S., 1191).

Attest :

L. A. BRUNNER, *Clerk.*

Mr. Beer, on leave, introduced the following bill, which was read the first time :

S. B. No. 360.—For the relief of Arcus Rumfield.

On motion of Mr. Beer, the Senate adjourned.

Attest :

ALLEN O. MYERS, *Clerk.*

THURSDAY, *May* 8, 1879—10 o'clock A.M.

The Senate met pursuant to adjournment.

Prayer by Rev. I. F. King.

The Journal was read and approved.

Pending the reading of the Journal, Hon. John Sherman having appeared upon the floor of the Senate, on motion of Mr. Forrest, the Senate took a recess for five minutes.

Mr. Armstrong presented the petition of Wm. G. Dunn, A. N. Hill and 70 other citizens of Columbus, Franklin county, against the passage of H. B. No. 1003.

Which was referred to the committee on Railroads, Telegraphs and Turnpikes.

Mr. Armstrong presented the petition of H. S. Holmes, Marmet & Co., and about 400 other citizens of Cincinnati, Hamilton county, against the passage of H. B. No. 1003.

Which was referred to the committee on Railroads, Telegraphs and Turnpikes.

Bills were read the second time and referred, as follows :

H. B. No. 912—Mr. Wright—To authorize cities of the first grade of the first class to exchange coupon bonds for registered bonds of said cities.

Committee on Finance.

H. B. No. 1014—Mr. Crosson—To authorize the transfer of certain funds therein named, now in the village treasury of Loveland, Clermont county.

Committee on Railroads, Telegraphs and Turnpikes.

H. B. No. 1013—Mr. Washburn—To authorize the Commissioners of Pike county to build an improved road, and the Board of Public Works to grant certain rights.

Committee on Railroads, Telegraphs and Turnpikes.

H. B. No. 1004—Mr. Cowgill—To authorize the Commissioners of Champaign county to make repairs, alterations, and additions to the Court-house in said county.

Committee on State Buildings.

H. B. No. 593—Mr. Brown of Putnam—Revising the statutes relating to drainage.

Select committee of four—Messrs. Saltzgaber, Carson, Jackson of Clinton and Sabine.

H. B. No. 674—Mr. Sextro—Revising and consolidating the statutes relating to counties.

Committee on the Judiciary.

S. B. No. 359—Mr. Sabine—To abolish joint sub-district number one, in Big Island, and number six in Marion township, Marion county, and to re-adjust the territory thereof.

Committee on Common Schools and School Lands.

S. B. No. 360—Mr. Beer—For the relief of Arcus Rumfield.

Committee on Finance.

H. B. No. 909—Mr. Dunham—Authorizing the County Commissioners of Sandusky county, Ohio, to levy an additional tax for county and poor purposes—was read the third time.

The question being “Shall the bill pass?” the yeas and nays were taken, and resulted—yeas 24, nays none, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beer, Carson, Curtiss, Fisher, Forrest, Howland, Jackson of Clinton, Johnston, Kelley, Krimmel, Lord, Owens, Parker, Richards, Sabine, Saltzgaber, Seitz, Sherrick, Steedman, Stokes, Tyler, Williams and Wilson 24.

So the bill passed. The title was agreed to.

H. B. No. 966—Mr. Clough—To authorize the Commissioners of Butler county, Ohio, to repair and grade Fort Hill—was read the third time.

The question being “Shall the bill pass?” the yeas and nays were taken, and resulted—yeas 23, nays none, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beer, Carson, Curtiss, Dungan, Fisher, Howland, Jackson of Clinton, Johnston, Joy, Krimmel, Lord, McDonald, Owens, Parker, Richards, Seitz, Sherrick, Steedman, Stokes, Wagener, Williams and Wilson—23.

So the bill passed. The title was agreed to.

H. B. No. 958—Mr. Clough—To allow Boards of Education, in certain cases, to transfer books from public libraries—was read the third time.

The question being “Shall the bill pass?” the yeas and nays were taken, and resulted—yeas 24, nays 1, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beer, Carson, Curtiss, Dungan, Forrest, Jackson of Clinton, Johnston, Joy, Krimmel, Lord, McDonald, Owens, Parker, Richards, Sabine, Seitz, Sherrick, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—24

Mr. Fisher voted in the negative.

So the bill passed.

Mr. Seitz moved to amend the title as follows :

“To authorize the Board of Education of the city of Hamilton to transfer books to public library.”

Which was agreed to, and the title as amended was then agreed to.

S. B. No. 355—Mr. Parker To divide the township of New Haven, county of Huron, into election precincts—was read the third time.

The question being “Shall the bill pass?” the yeas and nays were taken, and resulted—yeas 21, nays 3, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Dungan, Forrest, Howland, Jackson of Clinton,

Johnston, Joy, Kelley, Lord, Owens, Parker, Sabine, Saltzgaber, Seitz, Sherrick, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—21.

Those who voted in the negative were—

Messrs. Beer, Carson and Curtiss—3.

So the bill passed. The title was agreed to.

Mr. Armstrong submitted the following report:

The standing committee on Claims, to whom was referred H. J. R. No. 98—Relating to certain lands in Hamilton county, forfeited to the State—having had the same under consideration, report it back, and recommend its adoption.

J. M. ARMSTRONG,	JOHN C. McDONALD,
C. S. PARKER,	H. SABINE.
J. B. WILLIAMS,	

The question being on the adoption of said joint resolution, the yeas and nays were ordered, taken, and resulted—yeas 22, nays none, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Beer, Carson, Curtiss, Dungan, Fisher, Forrest, Jackson of Clinton, Krimmel, Lord, McDonald, Owens, Parker, Richards, Sabine, Sherrick, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—22.

So the joint resolution was adopted.

The President appointed Messrs. Forrest, Dungan and Curtiss a committee of Conference on part of the Senate, on H. B. No. 119.

Mr. Owens moved to reconsider the vote whereby H. B. No. 837 was passed.

Which was agreed to.

The question then being on the passage of the bill—

Mr. Stokes moved to refer the bill to a select committee of one, with instructions to amend as follows:

At the end of section 13, page 82, add: “the interior diameter of which is thirteen inches and thirty-nine fortieths of an inch, and the depth is seven inches and one twenty-fourth of an inch.”

Which was agreed to, and Mr. Stokes was appointed such committee, and reported the bill back amended as instructed.

The question being “Shall the bill pass?” the yeas and nays were taken, and resulted—yeas 26, nays none, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Beer, Carson, Curtiss, Dungan, Fisher, Forrest, Howland, Jackson of Clinton, Johnston, Kelley, Krimmel, Lord, McDonald, Owens, Parker, Richards, Sabine, Saltzgaber, Sherrick, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—26.

So the bill passed. The title was agreed to.

Mr. Owens moved to take from the table S. B. No. 243.

Which was agreed to.

The pending question being on Mr. Saltzgaber’s motion, to refer to a select committee of one, with instructions to amend—

Pending which, on motion of Mr. Curtiss, the Senate took a recess.

THREE O’CLOCK P.M.

When the Senate took a recess, it had under consideration S. B. No. 243, the pending question being on Mr. Saltzgaber’s motion to refer to a select committee of one, with instructions to amend.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 9, nays 16, as follow:

Those who voted in the affirmative were—

Messrs. Dungan, Grove, Howland, Jackson of Clinton, Lord, McDonald, Saltzgaber, Steedman and Wilson—9.

Those who voted in the negative were—

Messrs. Armstrong, Beer, Carlisle, Carson, Curtiss, Fisher, Forrest, Johnston, Joy, Kelley, Owens, Sabine, Stokes, Tyler, Wagener and Williams—16.

So the motion was disagreed to.

Mr. Wilson moved to refer the bill to a select committee of one, with instructions to amend as follows:

In section 2, line 5, after the word “thereof”, insert the following: “or, having entered such dwelling-house, yard, or enclosure with such consent, shall not, when requested, immediately leave such place.”

Which was agreed to, and Mr. Wilson was appointed such committee, and reported the bill back amended as instructed.

Mr. Wilson moved to refer the bill to a select committee of one, with instructions to amend as follows:

In section 1, line 2, strike out the word “place,” and insert “county”.

Which was agreed to, and Mr. Wilson was appointed such committee, and reported the bill back amended as instructed.

The question being “Shall the bill pass?” the yeas and nays were taken, and resulted—yeas 20, nays 8, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Beer, Benson, Carlisle, Carson, Curtiss, Fisher, Jackson of Clinton, Johnston, Joy, Kelley, Marsh, Owens, Richards, Sabine, Sherrick, Stokes, Wagener, Williams and Wilson—20.

Those who voted in the negative were—

Messrs. Dungan, Forrest, Grove, Howland, Lord, McDonald, Saltzgaber and Steedman—8.

So the bill passed. The title was agreed to.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The following bills have been introduced in the House of Representatives, and read the first time:

H. B. No. 1021—Mr. Alexander—To authorize certain incorporated villages to build railroads, and to lease or operate the same.

H. B. No. 1022—Mr. Sullivan of Hamilton—To provide for the repair of the steamboat-landing and a road or street in the town of California, Anderson township, Hamilton county.

H. B. No. 1023—Mr. Bloom—To create a special school district in sub-district three, of Ross township, Butler county.

H. B. No. 1024—Mr. Sturgeon—To provide for those injured while in charge of insane persons.

H. B. No. 1025—Mr. Washburn—To amend section 101 of an act entitled an act for the reorganization of common schools, passed May 1, 1872.

H. B. No. 1026—Mr. Swaim—To amend section four of an act entitled an act for the better organization and management of the Imbecile Asylum, passed May 14, 1878, (Vol. 75, p. 541.)

H. B. No. 1027—Mr. Greene To amend the first section of an act entitled an act to enable the Commissioners of Clarke, Franklin, Miami, Pickaway and Pike counties to purchase toll-roads and convert the same into free roads.

H. B. No. 1028—Mr. Cowgill—To authorize the Boards of Education of Concord and Madison townships, Champaign county, Ohio, to issue bonds and levy a tax on said townships to raise money to purchase a site and erect a school-house thereon.

H. B. No. 1029—Mr. Sawyer - To authorize the Council of the village St. Marys, Ohio, to transfer certain funds mentioned therein.

H. B. No. 1030—Mr. Achauer - To amend section twenty-five, of chapter eleven, of title 7, (public ways) of part second.

H. B. No. 1031—Mr. Herrick—To authorize the Treasurer of Lorain county, Ohio, to deposit funds of the county in the banks of the county during the re-building of the Court-house.

H. B. No. 1032—Mr. Foster—To regulate the holding of real estate in trust for religious or charitable purposes.

H. B. No. 1033—Mr. Leggett—For the relief of John Rainsberger, of Monroe township, Carroll county, Ohio.

H. B. No. 1034—Mr. Dow—To amend section thirty of an act entitled an act for the incorporation of townships, passed March 14, 1853, (Vol. 5, p. 489).

H. B. No. 1035—Mr. Worley - To provide for the appointment of two assistant Inspectors of Mines.

H. B. No. 1036 - Mr. Parker—To authorize the Commissioners of Brown county to levy a tax to pay indebtedness of the county.

H. B. No. 1037—Mr. Klimper—For the relief of township and ward assessors and assistants, in Hamilton county, and to fix their compensation.

H. B. No. 1038—Mr. Ellis—To authorize the Board of Education of Clay township, Ottawa county, Ohio, to transfer funds.

H. B. No. 1039—Mr. Dunham—To authorize the Directors of special school district No. 33, of Woodville township, Sandusky county, Ohio, to transfer certain funds named therein.

H. B. No. 1040 - Mr. Van Cleaf To authorize the Board of Education of New Holland special school district, Richland county, to build a school-house, and issue bonds therefor.

Attest :

L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The House of Representatives accedes to the request of the Senate, and has appointed Messrs. Swaim, Wright and Covert a committee of Conference on the part of the House, to consider the differences existing between the two Houses on—

H. B. No. 119—Mr. Swaim - To amend and revise the statutes relating to elections.

Attest :

L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The House of Representatives has concurred in Senate amendments to—

H. B. No. 966—Mr. Clough—To authorize the Commissioners of Butler county, Ohio, to repair and grade Fort Hill.

Attest :

L. A. BRUNNER, *Clerk*.

Mr. Richards submitted the following report :

The joint committee on Enrollment has examined, and found correctly enrolled, the following bill :

S. B. No. 339—To amend section eight of an act entitled an act for the protection of wool-growers and the confiscation of dogs, passed May 5, 1877, (p. 178.)

J. W. WASHBURN,	R. G. RICHARDS,
DUNCAN DOW,	WM. JESSUP,
C. R. HARMON,	F. M. CARTER,
IRVINE DUNGAN,	E. S. PERKINS.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The Speaker of the House of Representatives has, in the presence of the House, signed the following bills :

S. B. No. 339—Mr. Curtiss—To amend section eight of an act entitled an act for the protection of wool-growers and the confiscation of dogs, passed May 5, 1877, (p. 178.)

H. B. No. 897—Mr. Dunham—To authorize the Trustees of Sandusky township, Sandusky county, Ohio, to issue bonds to the amount of twelve hundred dollars (\$1200.00), for the purpose of paying certain indebtedness of said township.

H. B. No. 1015—Mr. Reed of Ross—To authorize the Commissioners of Ross county to cut down and grade Demoss Hill.

H. B. No. 967—Mr. Dodds—Providing for the relief of W. M. Corry.

Attest :

L. A. BRUNNER, *Clerk*.

The President, in presence of the Senate, signed said bills.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has refused to concur in the passage of the following bill :

S. B. No. 327—Mr. Steedman—To amend the act of May 14, 1878, entitled an act to amend, revise and consolidate the statutes relating to municipal corporations, to be known as title twelve, part one of the act to revise and consolidate the general statutes of Ohio, (Vol. 75, O. L., p. 161).

Attest :

L. A. BRUNNER, *Clerk*.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bills, in which the concurrence of the Senate is requested :

H. B. No. 889—Mr. Norton—To encourage and regulate the study of anatomy, and to repeal section sixteen, of chapter nine of an act entitled

an act to amend, revise and consolidate the statutes relating to crimes and offenses.

H. B. No. 805—Mr. Levering—Revising and consolidating the statutes relating to townships.

Attest:

L. A. BRUNNER, *Clerk*.

Said bills were read the first time.

Mr. Beer submitted the following report:

The standing committee on Finance, to whom was referred H. B. No. 928—To authorize certain municipal corporations to issue bonds to raise money to construct water-works—having had the same under consideration, report it back, and recommend its passage.

THOS. M. BEER,	H. W. CURTISS,
J. SHERRICK,	J. M. CARSON.
H. C. LORD,	

Said bill was ordered to be engrossed and read the third time to-morrow.

Mr. Sherrick submitted the following report:

The standing committee on Finance, to whom was referred H. B. No. 885—To amend the act of May 11, 1878, entitled an act to amend and revise the statutes relating to taxation, to be known as title thirteen, part one of the act to revise and consolidate the general statutes, (75 Vol., p. 436)—having had the same under consideration, report it back, and recommend its passage.

J. SHERRICK,	H. C. LORD,
H. W. CURTISS,	THOS. M. BEER.

Said bill was ordered to be engrossed and read the third time to-morrow.

Mr. Carson submitted the following report:

The standing committee on Finance, to whom was referred S. B. No. 360—For the relief of Arcus Rumfield—having had the same under consideration, report it back, with the following amendment, and recommend its passage when so amended:

In line 3, section 2, strike out the words "a majority," and insert the word "two-thirds."

J. M. CARSON,	H. W. CURTISS,
THOS. M. BEER,	H. C. LORD.

Said amendment was agreed to, and the bill was ordered to be engrossed and read the third time to-morrow.

Mr. Benson moved that the vote whereby the Senate refused to advise and consent to the appointment of Dr. Chas. S. Muscroft, Sr., as Trustee of Longview Asylum, be reconsidered.

Mr. Steedman moved to lay said motion on the table.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 14, nays 6, as follow:

Those who voted in the affirmative were—

Messrs. Benson, Carson, Fisher, Forrest, Grove, Joy, Lord, McDonald, Seitz, Sherrick, Steedman, Stokes, Tyler and Wagener—14.

Those who voted in the negative were—

Messrs. Beer, Dungan, Johnston, Kelley, Marsh and Owens—6.

So the motion was agreed to.

Mr. Carson moved that Substitute for S. B. No. 160 be taken from the table.

Which was agreed to.

The question being on the passage of the bill—

Mr. Carson moved to refer the bill to a select committee of one, with instructions to amend as follows:

Section 1, line 7, strike out “twenty-five cents,” and insert: “fifty cents.”

Also, strike out “fifty cents”, after the word “section”, and insert: “seventy-five cents.”

Also, strike out “one dollar”, and insert “two dollars”.

Which was agreed to, and Mr. Carson was appointed such committee, and reported the bill back amended as instructed.

The question being “Shall the bill pass?” the yeas and nays were taken, and resulted—yeas 20, nays 6, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Beer, Benson, Carson, Dungan, Forrest, Grove, Howland, Jackson of Clinton, Joy, McDonald, Owens, Saltzgaber, Seitz, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—20.

Those who voted in the negative were—

Messrs. Curtiss, Kelley, Lord, Marsh, Richards and Sabine—6.

So the bill passed. The title was agreed to.

Mr. Forrest submitted the following report:

The standing committee on Judiciary, to whom was referred S. B. No. 248—To provide for the punishment of crimes therein named—having had the same under consideration, report it back, with the following amendments, and without further recommendation:

On line 2, after the word “guardian,” insert: “assignee, trustee”; and insert: “assignee, trustee,” after the word “guardian,” on line 4.

Strike out of lines 2 and 3, the words “fraudulently appropriate,” and insert: “convert to his own use with intent to defraud.”

Strike out of line 3, the words “to his own use.”

Strike out all of section 2.

W. T. FORREST,	D. WAGENER,
W. P. HOWLAND,	IRVINE DUNGAN.

Said amendments were agreed to, and the bill was ordered to be engrossed and read the third time to-morrow.

Mr. Forrest submitted the following report:

The standing committee on Judiciary, to whom was referred S. B. No. 333—To amend section forty-five, chapter four of an act to revise and consolidate the laws relating to procedure in the Probate Court, passed May 7, 1878, (O. L., Vol. 75, p. 951)—having had the same under consideration, report it back, and recommend its indefinite postponement.

W. T. FORREST,	W. P. HOWLAND,
D. WAGENER,	IRVINE DUNGAN.

Said report was agreed to.

Mr. Forrest submitted the following report:

The standing committee on Judiciary, to whom was referred S. B. No. 233—To establish Circuit Courts, and to prescribe the powers and duties thereof—having had the same under consideration, report it back, and recommend its indefinite postponement.

W. T. FORREST,	W. P. HOWLAND,
D. WAGENER,	IRVINE DUNGAN.

Said report was agreed to.

Mr. Forrest submitted the following report:

The standing committee on Judiciary, to whom was referred S. B. No.

331—Supplementary to the act of May 7, 1869, entitled an act supplementary to an act entitled an act to authorize receivers of insolvent railroad companies to sell unfinished road-beds and franchises, passed May 14, 1858, (O. L., Vol. 66, p. 334)—having had the same under consideration, report it back, and recommend its indefinite postponement.

W. T. FORREST, W. P. HOWLAND,
IRVINE DUNGAN, D. WAGENER.

Said report was agreed to.

Mr. Forrest, on leave, introduced the following bill, which was read the first time:

S. B. No. 361—To amend an act entitled an act to amend and revise the statutes relating to taxation, to be known as title thirteen, part one of the act to revise and consolidate the general statutes, passed May 11, 1878.

Mr. Lord submitted the following report:

The standing committee on Finance, to whom was referred H. B. No. 912—To authorize cities of the first grade of the first class to exchange coupon bonds for registered bonds of said cities—having had the same under consideration, report it back, and recommend its passage.

THOS. M. BEER, H. W. CURTISS,
H. C. LORD, J. C. FISHER.

Said bill was ordered to be engrossed and read the third time to-morrow.

Mr. Forrest submitted the following report:

The standing committee on Judiciary, to whom was referred S. B. No. 221—Supplemental to an act entitled an act to preserve the purity of elections—for the purpose of considering the amendments of the House of Representatives, having had the same under consideration, report it back, and recommend that said amendments be agreed to.

W. T. FORREST, G. M. SALTZGABER,
D. WAGENER, IRVINE DUNGAN.

The question being on concurring in said House amendments, the yeas and nays were taken, and resulted—yeas 22, nays none, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Carson, Fisher, Grove, Jackson of Clinton, Lord, Marsh, McDonald, Owens, Richards, Saltzgaber, Seitz, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—22.

So said amendments were concurred in.

Mr. Benson moved that S. B. No. 301 be taken from the table.

Which was agreed to.

Mr. Benson moved to refer the bill to a select committee of one, with instructions to amend as follows:

After line 9, add:

SEC. 2. That section 10 of the above recited act, passed May 5, 1877, be and the same is hereby repealed.

Which was agreed to, and Mr. Benson was appointed such committee, and reported the bill back amended as instructed.

Mr. Benson moved to refer the bill to a select committee of one, with instructions to amend as follows:

Change section two so as to read section three.

Which was agreed to, and Mr. Benson was appointed such committee, and reported the bill back amended as instructed.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 9, nays 13, as follow:

Those who voted in the affirmative were—

Messrs. Benson, Carlisle, Forrest, Lord, McDonald, Owens, Tyler, Wagener and Williams—9.

Those who voted in the negative were—

Messrs. Armstrong, Beebe, Beer, Curtiss, Howland, Johnston, Kelley, Marsh, Richards, Sabine, Saltzgaber, Steedman and Stokes—13.

So the bill, having failed to receive a constitutional majority, was lost.

Mr. Forrest moved that H. B. No. 665 be taken from the table.

Which was agreed to.

The question being “Shall the bill pass?” the yeas and nays were taken, and resulted—yeas 22, nays none, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Curtiss, Forrest, Grove, Howland, Jackson of Clinton, Kelley, Lord, Marsh, McDonald, Owens, Richards, Sabine, Saltzgaber, Stokes, Tyler, Wagener and Williams—22.

So the bill passed. The title was agreed to.

On motion of Mr. Kelley, the Senate adjourned.

Attest:

ALLEN O. MYERS, *Clerk*.

FRIDAY, May 9, 1879—10 O'CLOCK A.M.

The Senate met pursuant to adjournment.

Prayer by Rev. I. F. King.

The Journal was read and approved.

Leave of absence was asked and obtained for Mr. Joy until Tuesday next, on account of sickness in his family.

The President laid before the Senate a communication from the Board of Public Works, being a reply to certain inquiries made in S. R. No. 92, which, on motion, was referred to the committee on Public Works and Public Lands.

Bills were read the second time and referred, as follows:

H. B. No. 889 Mr. Norton—To encourage and regulate the study of anatomy, and to repeal section sixteen, of chapter nine of an act entitled an act to amend, revise and consolidate the statutes relating to crimes and offenses.

Select committee of five—Messrs. Lord, Williams, Saltzgaber, Curtiss and Beebe.

H. B. No. 805 —Mr. Levering—Revising and consolidating the statutes relating to townships.

Committee on the Judiciary.

S. B. No. 361—Mr. Forrest—To amend an act entitled an act to amend and revise the statutes relating to taxation, to be known as title thirteen, part one of the act to revise and consolidate the general statutes, passed May 11, 1878.

Committee on Municipal Corporations.

Mr. Saltzgaber submitted the following report:

The committee on Revision has examined, and found correctly engrossed, S. B. No. 243, and H. B. No. 958.

G. M. SALTZGABER,
G. W. WILSON.

Mr. Wilson submitted the following report:

The committee on Revision has examined, and found correctly engrossed, H. B. No. 894, and Substitute for S. B. No. 160.

G. M. SALTZGABER,
G. W. WILSON,
J. C. FISHER.

H. B. No. 928—Mr. Meuser—To authorize certain municipal corporations to issue bonds to raise money to construct water-works—was read the third time.

Mr. Grove moved that said bill be laid on the table.

Which was agreed to.

H. B. No. 885—Mr. Van Cleaf—To amend the act of May 11, 1878, entitled an act to amend and revise the statutes relating to taxation, to be known as title thirteen, part one of the act to revise and consolidate the general statutes, (75 Vol., 436)—was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 20, nays 3, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Carlisle, Carson, Curtiss, Fisher, Howland, Jackson of Clinton, Johnston, Kelley, Krimmel, Lord, Marsh, Owens, Parker, Steedman, Tyler, Wagener and Williams—20.

Those who voted in the negative were—

Messrs. Benson, McDonald and Seitz—3.

So the bill passed. The title was agreed to.

H. B. No. 912 Mr. Wright—To authorize cities of the first grade of the first class to exchange coupon bonds for registered bonds of said cities—was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 28, nays none, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Carson, Dungan, Fisher, Forrest, Grove, Howland, Jackson of Clinton, Johnston, Krimmel, Lord, Marsh, McDonald, Owens, Parker, Richards, Sabine, Saltzgaber, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—28.

So the bill passed. The title was agreed to.

S. B. No. 360 - Mr. Beer—For the relief of Arcus Rumfield—was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 26, nays none, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Curtiss, Fisher, Grove, Howland, Jackson of Clinton, Johnston, Kelley, Krimmel, Lord, Marsh, McDonald, Richards, Sabine, Saltzgaber, Seitz, Steedman, Tyler, Wagener, Williams and Wilson—25.

So the bill passed. The title was agreed to.

S. B. No. 248—Mr. Jackson of Clinton—To provide for the punishment of crimes therein named—was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted yeas 22, nays 3, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Carson, Curtiss, Dungan, Fisher, Jackson of Clinton, Kelley, Lord, McDonald, Owens, Parker Richards, Sabine, Saltzgaber, Stokes, Tyler, Wagener and Wilson—22

Those who voted in the negative were—

Messrs. Forrest, Krimmel and Steedman—3.

So the bill passed. The title was agreed to.

Mr. Dungan presented the remonstrance of G. W. Anderson & Son and 218 other firms and citizens of Scioto county, against the passage of H. B. No. 1003, preventing dealing in railroad tickets by ticket-brokers and others.

Which was referred to the committee on Railroads, Telegraphs and Turnpikes.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The House of Representatives has concurred in Senate amendments to—

H. B. No. 958—Mr. Clough—To allow Boards of Education in certain cases to transfer books from public libraries.

Attest :

L. A. BRUNNER, *Clerk.*

Mr. Richards submitted the following report :

The joint committee on Enrollment has examined, and found correctly enrolled, the following bill :

S. B. No. 221—Supplemental to an act entitled an act to preserve the purity of elections.

R. G. RICHARDS,
C. R. HARMON,
J. R. JOHNSTON,
IRVINE DUNGAN,
F. M. CARTER,

C. F. KRIMMEL,
DUNCAN DOW,
WM. JESSUP,
A. D. MARSH.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The Speaker of the House of Representatives has, in the presence of the House, signed the following bill :

S. B. No. 221—Mr. Seitz—Supplemental to an act entitled an act to preserve the purity of elections.

Attest :

L. A. BRUNNER, *Clerk.*

The President, in presence of the Senate, signed said bill.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The House of Representatives has concurred in the passage of the following bills :

S. B. No. 354—Mr. Tyler—Relating to incorporated villages having a population of not more than one thousand and thirty-seven, and not less than one thousand and thirty-six by the federal census of 1870.

S. B. No. 228—Mr. Jackson of Clinton—To amend section one of an act entitled an act to amend sections one and four of an act entitled an act to provide for the repair of free turnpike roads in certain counties, and

to authorize the County Commissioners of any county in this State to constitute a board of directors, to regulate the hauling of heavy burdens on any free turnpike or improved road, passed and took effect April 20, 1874, passed March 17, 1875, (O. L., Vol. 72, p. 59), passed April 3, 1876, (O. L., Vol. 73, p. 151), passed May 2, 1877, (O. L., Vol. 74, p. 153).

S. B. No. 291 Mr. Owens—To divide the township of Union, county of Licking, into two election precincts.

S. B. No. 336—Mr. Jackson of Clinton—To amend section thirteen of an act entitled an act relating to roads and highways, passed March 9, 1868, as amended March 4, 1878.

Attest:

L. A. BRUNNER, *Clerk*.

Mr. Kelley submitted the following report:

The standing committee on Roads and Highways, to whom was referred H. B. No. 865—To authorize the Trustees of Findlay township, Hancock county, to levy a tax to macadamize and improve the roads and highways in said township—having had the same under consideration, report it back, and recommend its passage.

LINDSEY KELLEY,	THOS. S. JACKSON,
J. B. WILLIAMS,	B. W. CARLISLE.

Said bill was ordered to be engrossed and read the third time to-morrow.

Mr. Tyler submitted the following report:

The standing committee on Railroads, Telegraphs and Turnpikes, to whom was referred H. B. No. 1014 To authorize the transfer of certain funds therein named, now in the village treasury of Loveland, Clermont county—having had the same under consideration, report it back, and recommend its passage.

GEO. P. TYLER,	J. M. CARSON,
THOS. M. BEER,	D. JOY,
HYLAS SABINE,	H. C. LORD.

Said bill was ordered to be engrossed and read the third time now, and was then read.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 22, nays none, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Curtiss, Dungan, Fisher, Forrest, Grove, Kelley, Krimmel, Marsh, McDonald, Owens, Parker, Richards, Sabine, Steedman, Stokes, Tyler and Williams—22.

So the bill passed. The title was agreed to.

Mr. Tyler submitted the following report:

The standing committee on Railroads, Turnpikes and Telegraphs, to whom was referred H. B. No. 1013 - To authorize the Commissioners of Pike county to build an improved road, and the Board of Public Works to grant certain rights—having had the same under consideration, report it back, and recommend its passage.

GEO. P. TYLER,	HYLAS SABINE,
J. M. CARSON,	DAVID JOY.
H. C. LORD,	

Said bill was ordered to be engrossed and read the third time on Tuesday next.

Mr. Dungan submitted the following report:

The standing committee on Universities and Colleges, to whom was referred H. B. No. 615—To amend section two of an act entitled an act

supplemental to the act passed May 13, 1868, entitled an act to provide for the perpetuation of boards of trustees, and appointment of visitors of universities and colleges, (65, O. L., 188), (69, O. L., 71)—having had the same under consideration, report it back, and recommend its passage.

IRVINE DUNGAN, W. T. FORREST,
H. W. CURTISS, B. W. CARLISLE.
JOHN IRVINE,

Said bill was ordered to be engrossed and read the third time to-morrow. Mr. Benson submitted the following report:

The standing committee on Unfinished Business, to whom was referred S. B. No. 350—To provide for the removal of the county seat of Belmont county from the village of St. Clairsville, to the city of Bellaire, in said county, and to authorize the County Commissioners to erect a Court-house and county buildings in case of such removal—having had the same under consideration, report it back, and recommend its passage.

JOHN H. BENSON, JOHN IRVINE,
J. B. WILLIAMS, D. WAGENER.

Said bill was ordered to be engrossed and read the third time on Tuesday next.

Mr. Forrest submitted the following report:

The standing committee on Judiciary, to whom was referred H. B. No. 674 Revising and consolidating the statutes relating to counties—having had the same under consideration, report it back, and recommend its passage.

W. T. FORREST, IRVINE DUNGAN,
G. M. SALTZGABER, D. WAGENER.

Said bill was ordered to be engrossed and read the third time now, and was then read.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 28, nays none, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Curtiss, Dungan, Fisher, Forrest, Grove, Howland, Jackson of Clinton, Johnston, Kelley, Lord, Marsh, McDonald, Owens, Parker, Richards, Sabine, Saltzgaber, Seitz, Steedman, Stokes, Wagener, Williams and Wilson—28.

So the bill passed. The title was agreed to.

Mr. Forrest moved that the vote whereby H. B. No. 674 was passed be reconsidered.

Which was agreed to.

On motion of Mr. Forrest, said bill was referred to the joint committee on Consolidated Laws.

Mr. Steedman submitted the following report:

The select committee, to whom was referred S. B. No. 325—To change the fourth judicial district, and to establish a tenth judicial district, and the sub-divisions thereof—have had the same under consideration, and recommend its passage as amended:

1. Strike out the word "Erie," in the third line of section 1, and insert "Sandusky."

2. Strike out "Sandusky," in the third and fourth lines of section 1, and insert "Erie."

3. Add at the end of section 1: "and there shall be elected, as hereinafter provided, by the qualified electors of said first sub-division, three

judges; of said second sub-divison, one judge; and of said third sub-divison, one judge, each to serve for the term of five years."

4. Strike out of section 3, "heretofore elected in the first sub-division of the fourth judicial district," and insert: "now holding commissions and residing in any of the sub-divisions of the fourth judicial district."

5. Insert after the word "expire," in line 5, section 3: "or otherwise become vacant."

JAS. B. STEEDMAN,
H. W. CURTISS,
C. S. PARKER.

Said amendments were agreed to and the bill was ordered to be engrossed and read the third time on Wednesday next.

Mr. Richards submitted the following report:

The standing committee on Common Schools and School Lands, to whom was referred S. B. No. 359—To abolish joint sub-district No. 1, in Big Island, and No. 6, in Marion township, Marion county, Ohio, and to re-adjust the territory thereof—having had the same under consideration, report it back, with the following amendment, and recommend its passage when so amended:

To insert the word "school," in the word "sub-district," throughout the bill, so that the word shall in all instances in said bill read "sub-school district."

R. G. RICHARDS, H. C. LORD,
THOS. M. BEER, G. A. GROVE.

Said amendment was agreed to, and the bill was ordered to be engrossed and read the third time on Tuesday next.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has concurred in the passage of the following bill:

S. B. No. 263 --Mr. Beebe -- To amend an act entitled an act to amend section five of an act entitled an act making provisions for the incorporation of county associations, passed February 24, 1848, amended and passed March 29, 1875, (O. L., Vol. 72, p. 113)—with the following amendment, in which the concurrence of the Senate is requested:

In line 22, section 1, after the word "sent", insert the following: "Provided, that in cities of the third grade of the second class, where the cemetery lies within the corporation and within one hundred feet or the width of a street of any dwelling."

Attest:

L. A. BRUNNER, *Clerk.*

The question being on concurring in said House amendment, the yeas and nays were taken, and resulted—yeas 27, nays none, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Carson, Curtiss, Dungan, Forrest, Grove, Howland, Jackson of Clinton, Johnston, Kelley, Lord, Marsh, McDonald, Owens, Parker, Richards, Sabine, Saltzgaber, Steedman, Stokes, Wagener, Williams and Wilson—27.

So the Senate concurred in said amendment.

Mr. Wilson submitted the following report:

The standing committee on State Buildings, to whom was referred

H. B. No. 1004 - To authorize the Commissioners of Champaign county to make repairs, alterations and additions to the Court-house in said county—having had the same under consideration, report it back, and recommend its passage.

G. W. WILSON,	J. M. ARMSTRONG,
LINDSEY KELLEY,	C. S. PARKER,
W. H. STOKES,	JOHN SEITZ.

Said bill was ordered to be engros ed and read the third time now, and was then read.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted yeas 27, nays none, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe. Beer, Benson, Carlisle, Carson, Curtiss, Dungan, Forrest, Grove, Howland, Jackson of Clinton, Johnston, Kelley, Lord, Marsh. McDonald, Owens, Parker, Richards, Sabine, Saltzgaber, Seitz, Stokes, Wagener, Williams and Wilson - 27.

So the bill passed. The title was agreed to.

Mr. Seitz moved that H. B. No. 928 be taken from the table.

Which was agreed to.

Mr. Benson moved to refer the bill to a select committee of one, with instructions to amend as follows :

In line 3, section 4, after the word "council," add: "of which at least fifteen days' notice shall be given by publication in all the newspapers published in such municipal corporation."

Which was agreed to, and Mr. Benson was appointed such committee, and reported the bill back amended as instructed.

Mr. Benson moved to refer the bill to a select committee of one, with instructions to amend as follows :

In line 4, section 4, after the word "and," strike out "a majority," and insert "two-thirds."

Which was agreed to, and Mr. Benson was appointed such committee, and reported the bill back amended as instructed.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 21, nays 1, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe. Beer, Benson, Carlisle, Carson, Curtiss, Dungan, Forrest, Jackson of Clinton, Johnston, Kelley, Lord, Marsh, McDonald, Owens, Parker, Richards, Sabine, Seitz, Stokes, Tyler, Wagener, Williams and Wilson—25.

Mr. Grove voted in the negative.

So the bill passed. The title was agreed to.

Mr. Marsh moved that the Senate adjourn.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 13, nays 12, as follow :

Those who voted in the affirmative were—

Messrs. Beebe, Beer, Curtiss, Howland, Jackson of Clinton, Johnston, Kelley, Lord, Marsh, Owens, Richards, Sabine and Wilson—13.

Those who voted in the negative were—

Messrs. Armstrong, Benson, Carlisle, Carson, Dungan, Forrest, Grove, McDonald, Parker, Seitz, Tyler and Wagener—12.

So the motion was agreed to, and the Senate adjourned.

Attest :

ALLEN O. MYERS, *Clerk.*

SATURDAY, *May* 10, 1879—10 o'clock A.M.

The Senate met pursuant to adjournment.

Prayer by Rev. W. F. Whitlock.

The Journal was read and approved.

Mr. Fisher submitted the following report :

The committee on Revision has examined, and found correctly engrossed, H. B. No. 928.

J. C. FISHER,
G. W. WILSON,
J. M. CARSON.

Leave of absence was asked and obtained for Mr. McDonald until Tuesday next.

H. B. No. 865 - Mr. Sheets—To authorize the Trustees of Findlay township, Hancock county, to levy a tax to macadamize and improve the roads and highways in said township—was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 21, nays none, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Carlisle, Carson, Curtiss, Dungan, Fisher, Forrest, Grove, Howland, Krimmel, Lord, Marsh, Owens, Parker, Richards, Saltzgaber, Seitz, Wagener, Williams and Wilson-- 21.

So the bill passed. The title was agreed to.

H. B. No. 615—Mr. Paine—To amend section two of an act entitled an act supplemental to the act passed May, 13, 1868, entitled an act to provide for the perpetuation of boards of trustees, and the appointment of visitors of universities and colleges, (65, O. L., 188 ; 69, O. L., 71)—was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted yeas 20, nays none, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Carlisle, Carson, Curtiss, Dungan, Fisher, Forrest, Grove, Howland, Krimmel, Lord, Owens, Parker, Richards, Saltzgaber, Seitz, Wagener, Williams and Wilson-- 20.

So the bill passed. The title was agreed to.

Mr. Dungan submitted the following report :

The joint committee on Enrollment has examined, and found correctly enrolled, the following bills and joint resolution :

H. J. R. No. 98 Relating to certain lands in Hamilton county forfeited to the State.

H. B. No. 665—To amend section forty-three, of chapter four, of division seven of an act entitled an act to amend, revise and consolidate the statutes relating to municipal corporations, to be known as title twelve, part one of the act to revise and consolidate the general statutes of Ohio, passed May 14, 1878.

H. B. No. 966—To authorize the Commissioners of Butler county, Ohio, to repair and grade Fort Hill.

H. B. No. 912—To authorize cities of the first grade of the first class to exchange coupon bonds for registered bonds of said cities.

H. B. No. 964—To amend the act of May 11, 1878, entitled an act to amend and revise the statutes relating to taxation, to be known as title thirteen, part one of the act to revise and consolidate the general statutes, (75 Vol., p. 436).

H. B. No. 958—To authorize the Board of Education of the city of Hamilton to transfer books to public library.

H. B. No. 909—Authorizing the County Commissioners of Sandusky county, Ohio, to levy an additional tax for county and poor purposes.

H. B. No. 885—To amend the act of May 11, 1878, entitled an act to amend and revise the statutes relating to taxation, to be known as title thirteen, part one of the act to revise and consolidate the general statutes, (75 Vol., p. 436).

R. G. RICHARDS,	IRVINE DUNGAN,
F. M. CARTER,	C. R. HARMON,
WM. JESSUP,	DUNCAN DOW,
E. S. PERKINS,	C. F. KRIMMEL.

Mr. Forrest submitted the following report:

The standing committee on Judiciary, to whom was referred H. B. No. 805 Revising and consolidating the statutes relating to townships—having had the same under consideration, report it back, and recommend its passage.

W. T. FORREST,	G. M. SALTZGABER,
W. P. HOWLAND,	IRVINE DUNGAN

Said bill was ordered to be engrossed and read the third time on Monday next.

Mr. Marsh submitted a report from the select committee appointed under S. R. No. 89.

Mr. Marsh moved that said report be laid on the table and printed.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 6, nays 13, as follow:

Those who voted in the affirmative were—

Messrs. Beebe, Howland, Marsh, Richards, Saltzgaber and Wilson—6.

Those who voted in the negative were—

Messrs. Armstrong, Carson, Curtiss, Dungan, Forrest, Grove, Krimmel, Lord, Owens, Parker, Seitz, Wagener and Williams—13.

So the motion was disagreed to.

Mr. Forrest moved that the report be recommitted to the special committee, with instructions to make their report conform to the provisions of the resolution under which the committee was appointed.

On motion of Mr. Forrest, the report of the committee and pending motions in regard thereto were laid on the table.

On motion of Mr. Lord, the Senate adjourned.

Attest:

ALLEN O. MYERS, *Clerk.*

MONDAY, May 12, 1879—10 o'clock A.M.

The Senate met pursuant to adjournment.

Prayer by Rev. J. McCuskey.

The Journal was read and approved.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bills, in which the concurrence of the Senate is requested:

H. B. No. 788—Mr. Greene—To amend the act of April 27, 1872, entitled an act to regulate insurance companies doing an insurance business in the State of Ohio, (Vol. 69, O. L., p. 140.)

H. B. No. 891—Mr. Alexander—To amend section one of an act entitled an act to provide for the administration of property given for the promotion of science, art and like purposes, and to protect the same from waste, passed May 7, 1878, (O. L., Vol. 75, p. 135.)

H. B. No. 397—Mr. Dow—Authorizing the removal of obstructions from from the Miami river, in Logan county.

H. B. No. 886—Mr. Maury—To amend the act of May 3, 1852, entitled an act to regulate the election of State and county officers, (Swan & Critchfield, 532).

H. B. No. 794—Mr. Reed of Trumbull—Supplementary to an act entitled an act in regard to the boundary monuments on the line between the States of Ohio and Pennsylvania, (O. L., Vol. 75, p. 130).

Attest:

L. A. BRUNNER, *Clerk*.

Said bills were read the first time.

On motion of Mr. Forrest, the Senate took a recess.

THREE O'CLOCK P.M.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bill, in which the concurrence of the Senate is requested:

Amended H. B. No. 982—Mr. Alexander—Making appropriations for the fiscal year 1879, and the first quarter of the year 1880.

Attest:

L. A. BRUNNER, *Clerk*.

Said bill was read the first time.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The Speaker of the House of Representatives has, in the presence of the House, signed the following bills and joint resolution:

H. B. No. 966—Mr. Clough—To authorize the Commissioners of Butler county, Ohio, to repair and grade Fort Hill.

H. B. No. 912—Mr. Wright—To authorize cities of the first grade of the first class to exchange coupon bonds for registered bonds of said cities.

H. B. No. 885—Mr. Van Cleaf—To amend the act of May 11, 1878, entitled an act to amend and revise the statutes relating to taxation, to be known as title thirteen, part one of the act to revise and consolidate the general statutes, (75 Vol., 436.)

H. B. No. 665—Mr. Sextro—To amend section forty-three, chapter four, division seven of an act entitled an act to amend, revise and consolidate the statutes relating to municipal corporations, to be known as title twelve, part one of the act to revise and consolidate the general statutes of Ohio, passed May 14, 1878, (75, L., 322.)

H. J. R. No. 98—Mr. Jessup—Relating to certain lands in Hamilton county forfeited to the State.

H. B. No. 909—Mr. Dunham—Authorizing the County Commissioners of Sandusky county, Ohio, to levy an additional tax for county and poor purposes.

H. B. No. 958—Mr. Clough—To allow Boards of Education in certain cases, to transfer books from public libraries.

Attest :

L. A. BRUNNER, *Clerk*.

The President *pro tem.*, in presence of the Senate, signed said bills and joint resolution.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The House of Representatives has indefinitely postponed the following bill :

S. B. No. 279—Mr. Wilson—To amend section one of an act entitled an act to fix the compensation of members of the General Assembly of the State of Ohio, (S. & S., 696).

Attest :

L. A. BRUNNER, *Clerk*.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The following bill has been introduced in the House of Representatives, and read the first time :

H. B. No. 1041—Mr. Wright—To prohibit pool-selling.

Attest :

L. A. BRUNNER, *Clerk*.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The House of Representatives has refused to concur in Senate amendments to --

H. B. No. 928—Mr. Meuser—To authorize certain municipal corporations to issue bonds to raise money to construct water-works.

Attest :

L. A. BRUNNER, *Clerk*,

Mr. Forrest moved that the Senate insist on its amendments, and ask for a committee of Conference.

Which was agreed to.

Mr. Forrest submitted the following report :

The standing committee on Judiciary, to whom was referred H. B. No. 610—Revising the statutes relating to the Executive Department—having had the same under consideration, report it back, and recommend its passage.

W. T. FORREST,
IRVINE DUNGAN,

D. WAGENER,
W. P. HOWLAND.

Said bill was ordered to be engrossed and read the third time to-morrow.

H. B. No. 805—Mr. Levering—Revising and consolidating the statutes relating to townships—was read the third time.

Mr. Forrest moved that said bill be laid on the table.

Which was agreed to.

Mr. Owens, on leave, introduced the following bill, which was read the first time :

S. B. No. 362—To authorize the city Council of Newark, Licking county, Ohio, to purchase a steam fire-engine, and issue bonds to pay for the same.

On motion of Mr. Owens, the Senate adjourned.

Attest :

ALLEN O. MYERS, *Clerk*.

TUESDAY, *May* 13, 1879—10 o'clock A.M.

The Senate met pursuant to adjournment.

Prayer by Rev. J. McCuskey.

The Journal was read and approved.

Leave of absence was asked and obtained for Mr. Lord for this week.

Mr. Krimmel presented the memorial of the Lessees of the Public Works.

Which was referred to the committee on Public Works.

Bills were read the second time and referred, as follows :

H. B. No. 794—Mr. Reed of Trumbull—Supplementary to an act entitled an act in regard to the boundary monuments on the line between the States of Ohio and Pennsylvania, (O. L., Vol. 75, p. 130.)

Committee on Finance.

H. B. No. 891—Mr. Alexander—To amend section one of an act entitled an act to provide for the administration of property given for the promotion science, art and like purposes, and to protect the same from waste, passed May 7, 1878, (O. L., Vol. 75, p. 135.)

Committee on Corporations other than Municipal.

H. B. No. 397—Mr. Dow—To punish the placing of obstructions in the Miami, river in Logan county, and to authorize the removal of the same therefrom.

Committee on Agriculture.

H. B. No. 886—Mr. Maury - To amend the act of May 3, 1852, entitled an act to regulate the election of State and county officers, (S. & C., 532.)

Committee on Privileges and Elections.

H. B. No. 788—Mr. Greene—To amend the act of April 27, 1872, entitled an act to regulate insurance companies doing an insurance business in the State of Ohio, (Vol. 69, O. L., p. 140.)

Committee on Insurance.

Amended H. B. No. 982 - Mr. Alexander—Making appropriations for the year 1879, and the first quarter of the fiscal year 1880.

Committee on Finance.

S. B. No. 362—Mr. Owens—To authorize the City Council of Newark, Licking county, to purchase a steam fire-engine, and issue bonds to pay for same.

Committee on Municipal Corporations.

H. B. No. 1013 Mr. Washburn—To authorize the Commissioners of Pike county to build an improved road, and the Board of Public Works to grant certain rights—was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 22, nays 1, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Carson, Curtiss, Dungan, Fisher, Forrest, Grove, Jackson of Clinton, Krimmel, McDonald, Owens, Parker, Richards, Sabine, Seitz, Sherrick, Stokes, Wagener, Williams and Wilson—22.

Mr. Howland voted in the negative.

So the bill passed. The title was agreed to.

H. B. No. 610—Mr. Van Cleaf—Revising the statutes relating to the executive department.

The third reading of this bill was progressing, when, on motion of Mr. Grove, by unanimous consent the Senate took a recess.

THREE O'CLOCK P.M.

When the Senate took a recess, it had under consideration H. B. No. 610, the third reading of which was concluded.

Mr. Fisher moved to refer the bill to a select committee of one, with instructions to amend as follows :

Strike out chapter 14.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 7, nays 20, as follow :

Those who voted in the affirmative were—

Messrs. Beer, Benson, Dungan, Fisher, Jackson of Clinton, Jackson of Perry and Saltzgaber—7.

Those who voted in the negative were—

Messrs. Beebe, Carlisle, Curtiss, Forrest, Grove, Howland, Irvine, Kelley, Krimmel, McDonald, Owens, Parker, Richards, Sabine, Seitz, Stokes, Tyler, Wagener, Williams and Wilson—20.

So the motion was disagreed to.

Mr. Fisher moved to refer the bill to a select committee of one, with instructions to amend as follows :

Strike out chapter 7.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 10, nays 17, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beer, Dungan, Fisher, Jackson of Clinton, Jackson of Perry, Kelley, Marsh, Seitz and Sherrick—10.

Those who voted in the negative were—

Messrs. Beebe, Benson, Carlisle, Curtiss, Grove, Howland, Irvine, Krimmel, McDonald, Owens, Parker, Sabine, Stokes, Tyler, Wagener, Williams and Wilson—17.

So the motion was disagreed to.

Mr. Dungan moved to refer the bill to a select committee of one, with instructions to amend as follows :

Chapter 1, page 41, section 19, line 3, strike out “also”; and in lines 3 and 4, strike out “inspector-general and.”

In line 4, after “staff”, insert : “one inspector-general”.

On page 43, section 23, line 1, after “adjutant-general”, insert : “inspector-general”.

Which was disagreed to.

Mr. Owens moved to refer the bill to a select committee of one, with instructions to amend as follows :

In chapter 15, title 3, page 167, after section 4, insert :

SEC. 5. Whoever knowingly uses, for illuminating purposes, any oil or products of petroleum, before the same has been inspected and branded by the state inspector, or his deputy, as hereinafter provided, is guilty of a misdemeanor, and, on conviction thereof, shall be fined in any sum not exceeding one hundred dollars, nor less than twenty dollars, (75 Vol., 564, § 5).

On which motion the yeas and nays were demanded, taken, and resulted—yeas 14, nays 10, as follow :

Those who voted in the affirmative were—

Messrs. Beebe, Beer, Benson, Curtiss, Fisher. Howland, Jackson of Clinton, Krimmel, Marsh, Owens, Sabine, Sherrick, Tyler and Williams—14.

Those who voted in the negative were—

Messrs. Armstrong, Carlisle, Forrest, Grove, Irvine, Kelley, Parker, Seitz, Wagener and Wilson—10.

So the motion was agreed to, and Mr. Owens was appointed such committee, and reported the bill back amended as instructed.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 23, nays none, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Curtiss, Dungan, Fisher, Forrest, Grove, Kelley, Krimmel, Marsh, McDonald, Owens, Parker, Sabine, Seitz, Sherrick, Stokes, Tyler, Wagener and Williams 23.

So the bill passed. The title was agreed to.

S. B. No. 359—Mr. Sabine—To abolish joint sub-district number one, in Big Island, and number six, in Marion township, Marion county, and to re-adjust the territory thereof was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted yeas 23, nays 1, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Curtiss, Dungan, Fisher, Grove, Howland, Irvine, Jackson of Clinton, Kelley, Krimmel, Marsh, McDonald, Owens, Sabine, Seitz, Stokes, Tyler, Wagener and Williams—23.

Mr. Forrest voted in the negative.

So the bill passed. The title was agreed to.

S. B. No. 350—Mr. Wagener To provide for the removal of the county seat of Belmont county from the village of St. Clairsville, to the city of Bellaire, in said county, and to authorize the County Commissioners to erect a Court-house and county buildings in case of such removal—was read the third time.

On motion of Mr. Owens, said bill was laid on the table.

Mr. Irvine presented the petition of W. B. Thomas and 262 other citizens of Washington county, protesting against the passage of a law which will deprive citizens of the privilege of buying or selling railroad tickets outside the offices of the corporations.

Which was referred to the committee on Railroads, Telegraphs and Turnpikes.

Mr. Dungan submitted the following report :

The joint committee on Enrollment has examined, and found correctly enrolled, the following bills :

H. B. No. 1004—To authorize the Commissioners of Champaign county to make repairs, alterations and additions to the Court-house in said county.

H. B. No. 1014—To authorize the transfer of certain funds therein named, now in the village treasury of Loveland, Clermont county.

H. B. No. 865—To authorize the Trustees of Findlay township, Hancock county, to levy a tax to macadamize and improve the roads and highways in said township.

H. B. No. 615—To amend section two of an act entitled an act supplemental to the act passed May 13, 1868, entitled an act to provide for the perpetuation of boards of trustees, and the appointment of visitors of universities and colleges, (65, O. L., 188; 69, O. L., 71.)

IRVINE DUNGAN,	WM. JESSUP,
C. F. KRIMMEL,	A. D. MARSH,
F. M. CARTER,	E. S. PERKINS.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The Speaker of the House of Representatives has, in the presence of the House, signed the following bills:

H. B. No. 615—Mr. Paine—To amend section two of an act entitled an act supplemental to the act passed May 13, 1868, entitled an act to provide for the perpetuation of boards of trustees, and the appointment of visitors of universities and colleges, (65, O. L., 188; 69, O. L., 71.)

H. B. No. 865—Mr. Sheets—To authorize the Trustees of Findlay township, Hancock county, to levy a tax to macadamize and improve the roads and highways in said township.

H. B. No. 1014—Mr. Crosson—To authorize the transfer of certain funds therein named, now in the village treasury of Loveland, Clermont county.

H. B. No. 1004—Mr. Cowgill—To authorize the Commissioners of Champaign county to make repairs, alterations and additions to the Court-house in said county.

Attest:

L. A. BRUNNER, *Clerk.*

The President, in presence of the Senate, signed said bills.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has concurred in the passage of the following bill:

S. B. No. 225—Mr. Jackson of Perry—To punish vagrancy, and to repeal a section therein named, (O. L., 75, pp. 277 and 278)—with the following amendments, in which the concurrence of the Senate is requested:

Strike out all after the word "misdemeanor", in line 2, section 1, and insert as follows: "And any person going about from place to place, begging, for the purpose of acquiring money or a living, and who shall have no fixed place of residence or lawful occupation in the county or city in which he shall be arrested, shall be taken and deemed to be a 'ramp or vagrant, and guilty of a misdemeanor, and, on conviction, shall be sentenced to the county jail or work-house, for not more than twelve months, in the discretion of the court. Provided that if any person so arrested can prove, by satisfactory evidence, that he does not make a

practice of going about begging for the purposes aforesaid, in the manner set forth, he shall not be deemed guilty of the offense hereinbefore described, and, upon such proof, shall be discharged from arrest, either by the magistrate before whom he is committed, or by the court upon hearing of the case".

SEC. 2. Any tramp who shall enter any dwelling-house, out house, barn, shed, or other building, without the permission of the owner or occupant thereof, or shall kindle any fire in the highway or along the line of any railway, or on the land of another, without the owner's consent, or shall be found carrying any fire-arms or other dangerous weapons, or shall do, or threaten to do, any injury not amounting to felony, to any person or to the real or personal estate of another, shall, upon conviction, be deemed guilty of a misdemeanor, and shall be sentenced to undergo imprisonment at hard labor in the jail of the county, for a period not exceeding one year.

SEC. 3. Any act of beggary or vagrancy by any person, described by the first section of this act, shall be *prima facie* evidence that the person committing the same is a tramp within the meaning of this act, subject to the proviso contained in section one of this act.

SEC. 4. That whenever any trustee of any township is notified, in writing, by any citizen of such township, that there is traveling within the bounds of the township any person as described in section one of this act, such trustee shall forthwith issue an order, in writing, signed by him, directed to any constable of the township, or to any other person named in such order, requiring him to arrest the person so charged and take him before a justice of the peace or mayor for examination, whose duty it shall be, after hearing the evidence, to discharge or to commit the prisoner for trial, as in the case of other misdemeanors; provided, that if, upon the testimony of a physician, or other testimony, the justice or mayor find that such person is unable to perform labor, he shall certify that fact; and such person shall thereupon be committed to the trustees of the township, to be dealt with as a pauper.

SEC. 4. This act shall take effect and be in force from and after its passage.

Attest:

L. A. BRUNNER, *Clerk*.

The question being on concurring in House amendments, the yeas and nays were taken, and resulted—yeas none, nays 22, as follow:

Those who voted in the negative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Curtiss, Fisher, Grove, Howland, Jackson of Clinton, Jackson of Perry, Kelley, Krimmel, Marsh, McDonald, Owens, Saltzgaber, Seitz, Stokes, Tyler, Wagener and Williams—22.

So the Senate refused to concur in said House amendments.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has concurred in the passage of the following bill:

S. B. No. 287—Mr. Beebe—To authorize the city of Akron to receive moneys in trust for the Akron Rural Cemetery Association—with the following amendment, in which the concurrence of the Senate is requested:

In line 16, strike out the word "present," and insert at the end of line 17, the following: "Should such bonded indebtedness exist at the time of its receipt."

Attest:

L. A. BRUNNER, *Clerk*.

The question being on concurring in said House amendment, the yeas and nays were taken, and resulted—yeas 23, nays none, as follow:

Those who voted in the affirmative were—

Messrs. Beebe, Beer, Benson, Carlisle, Curtiss, Dungan, Fisher, Grove, Howland, Jackson of Clinton, Jackson of Perry, Kelley, Krimmel, Marsh, McDonald, Owens, Parker, Richards, Seitz, Stokes, Tyler, Wagener and Williams—23.

So the Senate concurred in said House amendment.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bills, in which the concurrence of the Senate is requested:

H. B. No. 976—Mr. Jessup—To authorize the village Council of Cleves, Hamilton county, Ohio, to transfer certain funds.

H. B. No. 955—Mr. Wolf—To authorize the Commissioners of Hocking county to appropriate money to construct and maintain a certain bridge.

H. B. No. 927—Mr. Wales—To authorize the Auditor of Warren county, Ohio, to issue refunding orders on the Treasurer of said county in favor of certain tax-payers.

H. B. No. 971—Mr. Luccock—To authorize the Trustees of Seneca township, Guernsey county, to transfer certain funds therein named.

H. B. No. 1009—Mr. Dempcy—To authorize the Board of Education of Newburg township, Cuyahoga county, Ohio, to issue bonds and levy a tax for the purpose of purchasing sites and erecting a school-houses thereon.

H. B. No. 924—Mr. Oglevee—To amend the act of May 14, 1878, entitled an act to amend, revise and consolidate the statutes relating to municipal corporations, to be known as title twelve, part one of the act to revise and consolidate the general statutes of Ohio, (Vol. 75, O. L., p. 161.)

H. B. No. 806—Mr. Norton—Supplementary to an act entitled an act to create a sub-school district in Seneca county, Ohio, to be called the Rockaway Sub-school District.

H. B. No. 978—Mr. Greene—Relating to the improvement of the City Hall of Xenia, Greene county, Ohio.

H. B. No. 597—Mr. Bohl—To enable Soldiers' Monument Associations to record the names of the fallen soldiers.

H. B. No. 844—Mr. Perkins—To amend the act of May 7, 1878, entitled an act to revise and consolidate the laws relating to procedure in the Probate Court, (75 Vol., 836.)

H. B. No. 944—Mr. Sawyer—To amend an act passed May 13, 1878, entitled an act for the reorganization and better management of the Soldiers' and Sailors' Orphans' Home, located at Xenia, and to repeal certain sections therein named, (O. L., Vol. 75, p. 591).

Attest:

L. A. BRUNNER, *Clerk*.

Said bills were read the first time.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has refused to concur in the passage of the following bills :

S. B. No. 278—Mr. Richards—Requiring an examination of articles of incorporation by the Attorney-general.

S. B. No. 335—Mr. Dungan—To amend an act entitled an act to amend an act entitled an act for the relief of the poor, and to repeal certain acts therein named," passed April 12, 1876, (O. L., 75, p. 14), and to repeal certain acts therein named.

Attest :

L. A. BRUNNER, *Clerk.*

The following bills were introduced, and read the first time :

S. B. No. 363 Mr. Tyler—To amend the act of May 14, 1878, entitled an act to amend, revise and consolidate the statutes relating to municipal corporations, to be known as title twelve, part one of the act to revise and consolidate the general statutes of Ohio, (Vol. 75, pp. 161-394).

S. B. No. 364—Mr. Curtiss—To authorize the Trustees of Independent township, Cuyahoga county, to borrow money to meet the indebtedness of the poor fund of said township.

S. B. No. 365—Mr. Forrest—To repeal an act entitled an act to provide for the revision and consolidation of the statute laws of Ohio, passed March 27, 1875, (O. L., Vol. 72, p. 57.)

Mr. Forrest moved that H. B. No. 805 be taken from the table.

Which was agreed to.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 35, nays none, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Carson, Curtiss, Dungan, Fisher, Forrest, Grove, Howland, Irvine, Jackson of Clinton, Jackson of Perry, Johnston, Joy, Kelley, Krimmel, Lord, Marsh, McDonald, Dwens, Parker, Richards, Sabine, Saltzgaber, Seitz, Sherrick, Steedman, Stokes, Tyler, Wagener, Williams and Wilson 35.

So the bill passed. The title was agreed to.

Mr. Owens moved to reconsider the vote whereby H. B. No. 805 was passed.

Which was agreed to.

On motion of Mr. Owens, said bill was referred to the joint committee on Consolidated Laws.

Mr. Dungan moved that the motion to reconsider the vote whereby the Senate refused to advise and consent to the appointment of Dr. Chas. S. Muscroft, Sr., as Trustee of Longview Asylum, be taken from the table.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 6, nays 14, as follow :

Those who voted in the affirmative were—

Messrs. Dungan, Kelley, Krimmel, Marsh, Seitz and Sherrick—6.

Those who voted in the negative were—

Messrs. Armstrong, Beer, Benson, Carlisle, Fisher, Forrest, Grove, Howland, Jackson of Clinton, Parker, Richards, Sabine, Saltzgaber, Stokes and Tyler—14.

So the motion was disagreed to.

Mr. Dungan submitted the following report:

The standing committee on Universities, Colleges and Academies, to

whom was referred H. B. No. 858—To amend an act entitled an act to provide for the control and maintenance of libraries in certain cities which, at the last federal census had, and which at any subsequent federal census may have a population of 10,592, passed and took effect May 14, 1878—having had the same under consideration, report it back, with the following amendment, and recommend its passage when so amended:

In line 15, section 4, before the words "of said city", insert: "the board of education."

IRVINE DUNGAN,	JOHN IRVINE,
B. W. CARLISLE,	W. H. STOKES,
G. W. WILSON,	H. W. CURTISS.

Said amendment was agreed to, and the bill was ordered to be engrossed and read the third time to-morrow.

Mr. Saltzgaber submitted the following report:

The committee of Conference, to whom were referred the matters of difference between the two Houses on S. B. No. 205, having had the same under consideration, recommend that the Senate concur in the House amendments modified as follows:

Section 20, chapter 3, division 4, page 194, add at end of section: "but in counties not having cities of thirty thousand inhabitants or more, the *per diem* of such stenographers shall not exceed seven dollars; no part of which shall be paid out of the county treasury, except in criminal cases, but shall be taxed as other costs."

Section 1, chapter 8, division 4, page 229, add at end of section: "but this section shall not apply to persons admitted under pre-existing laws."

Section 2, chapter 8, division 4, page 229, add at end of section: "provided, that said court may appoint, to serve for one or more years, a commission composed of not less than three persons learned in the law to assist in such examination."

G. M. SALTZGABER,
R. G. RICHARDS,
<i>Committee on part of the Senate.</i>
J. G. MEUSER,
I. B. WRIGHT,
J. F. OGLEVEE,
<i>Committee on part of the House.</i>

The question being on agreeing to said report, the yeas and nays were ordered, taken, and resulted—yeas 18, nays 4, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Beer, Benson, Carlisle, Fisher, Forrest, Grove, Jackson of Clinton, Kelley, Marsh, McDonald, Parker, Richards, Sabine, Saltzgaber, Sherrick, Tyler and Williams 18.

Those who voted in the negative were—

Messrs. Dungan, Krimmel, Seitz and Stokes 4.

So said report was agreed to.

Mr. Beer moved that the Senate adjourn.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 5, nays 13, as follow:

Those who voted in the affirmative were—

Messrs. Beer, Curtiss, Kelley, Marsh and Sabine—5.

Those who voted in the negative were—

Messrs. Armstrong, Benson, Carlisle, Dungan, Fisher, Forrest, Grove, Krimmel, Parker, Saltzgaber, Sherrick, Stokes and Tyler—13.

So the motion was disagreed to.

Mr. Sabine offered the following joint resolution, which was referred to the committee on Printing:

S. J. R. No. 92—Directing the printing of school laws:

Be it resolved by the General Assembly of the State of Ohio. That the Supervisor of Public Printing be and is hereby instructed to have printed and bound in muslin, twenty-five thousand (25,000) copies of the school laws of 1879, with such notes and decisions by the Commissioner of Common Schools, as that officer may deem necessary with a reference to each section of the law so explained by said Commissioner.

Five thousand (5,000) copies for the use of the Commissioner of Common Schools; and five thousand (5,000) copies for the members of the General Assembly; and the remainder to be distributed by the Secretary of State to the county Auditors of the several counties of this State in, proportion to their population, to be further distributed by said Auditors as follows: one copy to the clerk, and one to the treasurer of each township; one copy to the clerk of each school district and sub-district; one copy to each prosecuting attorney and probate judge; and one copy to the clerk of each board of school examiners.

The copies distributed through the county Auditor to be preserved by their several recipients, and handed over to their respective successors in office.

On motion of Mr. Beer, the Senate adjourned.

Attest:

ALLEN O. MYERS, *Clerk.*

WEDNESDAY, May 14, 1879—10 o'clock A.M.

The Senate met pursuant to adjournment.

Prayer by Rev. J. McCuskey.

The Journal was read and approved.

Leave of absence was asked and obtained for Mr. Johnston until Saturday next, and for Mr. Carson until Friday next.

The President appointed Messrs. Forrest, Seitz and Wilson as a committee of Conference on H. B. No. 928, on part of the Senate.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives insists on its amendments to—

S. B. No. 225—Jackson of Perry—To punish vagrancy, and to repeal a section therein named, (O. L., 75, pp. 277 and 278)—and requests the appointment of a committee of Conference.

Attest:

L. A. BRUNNER, *Clerk.*

Mr. Jackson of Perry moved that the request of the House be acceded to. Which was agreed to.

The President appointed Messrs. Jackson of Perry, Owens and Kelley as such committee on part of the Senate.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The House of Representatives has refused to concur in Senate amendments to—

H. B. No. 894—Mr. Alexander—Making appropriations payable out of the general revenue fund.

Attest :

L. A. BRUNNER, *Clerk.*

Mr. Fisher moved that the Senate insist on its amendments to said bill, and ask that a committee of Conference be appointed.

Which was agreed to, and the President appointed Messrs. Fisher, Sherriek and Sabine as such committee on part of the Senate.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The House of Representatives has agreed to the report of the committee of Conference on—

S. B. No. 205, by Mr. Forrest.

Attest :

L. A. BRUNNER, *Clerk.*

Mr. Forrest moved that the vote whereby the Senate agreed to the report of the Conference committee on S. B. No. 205, be reconsidered.

Which was agreed to.

On motion of Mr. Forrest, said bill was referred to the joint committee on Consolidated Laws.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The House of Representatives has concurred in the passage of the following bill:

S. B. No. 328—Mr. Curtiss—To amend section two, chapter four, page 467 of the act to revise and consolidate the statutes of Ohio, (Vol. 75)—with the following amendments, in which the concurrence of the Senate is requested:

Section 1, line 22, after the word “and,” insert the following: “including the board now elected shall”; in same line, strike out the word “second,” and insert “fourth”; in line 23, strike out “July,” and insert “August”; in line 26, strike out all after the word “thereof,” and insert the following: “which, together with the expense of transportation, shall be paid out of the county treasury. Said board shall be authorized to administer any oath or affirmation which it may deem necessary to the proper discharge of its duties.”

Section 1, line 9, after the word “following,” insert: “excepting in cities of the second class, the board shall close their session on or before the fourth Monday of June following”; in same section, line 13, strike out the words “three dollars,” and insert: “the following fees”; line 14, after the word “duties,” insert: “members of city boards of the first class, three dollars per day, and members of city boards of the second class, two dollars and fifty cents per day”; in same section, lines 27 and 28, strike out the words “together with the expense of transportation.”

Attest :

L. A. BRUNNER, *Clerk.*

On motion of Mr. Curtiss, said bill and amendments were referred to a select committee of three, and the President appointed Messrs. Curtiss, Forrest and Seitz as such committee.

Bills were read the second time and referred, as follows :

H. B. No. 976—Mr. Jessup—To authorize the village Council of Cleves, Hamilton county, Ohio, to transfer certain funds.

Committee on Municipal Corporations.

H. B. No. 955—Mr. Wolf - To authorize the Commissioners of Hoeking county to appropriate money to construct and maintain a certain bridge.

Committee on Roads and Highways.

H. B. No. 927—Mr. Wales—To authorize the Auditor of Warren county, Ohio, to issue refunding orders on the Treasurer of said county in favor of certain tax-payers.

Committee on Finance.

H. B. No. 971—Mr. Luccock—To authorize the Trustees of Seneca township, Guernsey county, to transfer certain funds named therein.

Committee on Municipal Corporations.

H. B. No. 1009—Mr. Dempey—To authorize the Board of Education of Newburg township, Cuyahoga county, to issue bonds and levy a tax for the purpose of purchasing a site, and erecting a school-house thereon.

Committee on Finance.

H. B. No. 924—Mr. Oglevee—To amend the act of May 14, 1878, entitled an act to amend, revise and consolidate the statutes relating to municipal corporations, to be known as title twelve, part one of the act to revise and consolidate the general statutes of Ohio, (Vol. 75, O. L., p. 161.)

Committee on Municipal Corporations.

H. B. No. 806 Mr. Norton—Supplementary to an act entitled an act to create a sub-school district in Seneca county, Ohio, to be called the Roekaway Sub-school District.

Committee on Common Schools and School Lands.

H. B. No. 978—Mr. Greene—Relating to the improvement of City Hall of Xenia, Greene county, Ohio.

Committee on Municipal Corporations.

H. B. No. 597—Mr. Bohl—To enable Soldiers' Monument Associations to record the names of the fallen soldiers.

Committee on Military Affairs.

H. B. No. 844—Mr. Perkins—To amend the act of May 7, 1878, entitled an act to revise and consolidate the laws relating to procedure in the Probate Court, (75 Vol., 836.)

Committee on the Judiciary.

H. B. No. 944—Mr. Sawyer—To amend an act passed May 13, 1878, entitled an act for the reorganization and better management of the Soldiers' and Sailors' Orphans' Home, located at Xenia, and to repeal certain sections therein named, (O. L., Vol. 75, p. 591.)

Committee on Soldiers' and Sailors' Orphans' Home.

S. B. No. 363—Mr. Tyler—To amend the act of May 14, 1878, entitled an act to amend, revise and consolidate the statutes relating to municipal corporations, to be known as title twelve, part one of the act to revise and consolidate the general statutes of Ohio, (75 Vol., 161-394.)

Committee on Municipal Corporations.

S. B. No. 364—Mr. Curtiss - To authorize the Trustees of Independent

township, Cuyahoga county, to borrow money to meet the indebtedness of the poor fund of said township.

Committee on Finance.

S. B. No. 365—Mr. Forrest—To repeal an act entitled an act to provide for the revision and consolidation of the statute laws of Ohio, passed March 27, 1875, (O. L., Vol. 72, p. 57.)

Committee on Finance.

On motion of Mr. Curtiss, S. B. No. 325, on calender for third reading, was informally passed.

H. B. No. 858—Mr. Hayman—To amend an act entitled an act to provide for the control and maintenance of libraries in certain cities which, at the last federal census had, and which at any subsequent federal census may have a population of ten thousand five hundred and ninety-two, passed and took effect May 14, 1878—was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 25, nays none, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Dungan, Fisher, Grove, Howland, Irvine, Jackson of Clinton, Jackson of Perry, Krimmel, Marsh, McDonald, Parker, Sabine, Saltzgaber, Seitz, Sherrick, Stokes, Tyler, Wagener, Williams and Wilson—25.

So the bill passed. The title was agreed to.

On motion of Mr. Steedman, S. B. No. 325 Mr. Steedman To change the fourth judicial district, and to establish a tenth judicial district, and the sub-division, thereof—which was informally passed, was taken up and read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 22, nays 4, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Benson, Carlisle, Curtiss, Dungan, Fisher, Forrest, Grove, Jackson of Perry, Krimmel, Marsh, McDonald, Owens, Parker, Saltzgaber, Seitz, Sherrick, Steedman, Stokes, Tyler, Wagener and Williams—22.

Those who voted in the negative were—

Messrs. Beebe, Beer, Howland and Sabine—4.

So the bill, having failed to receive the requisite two-thirds majority, was lost.

Mr. Carlisle moved that the vote whereby S. B. No. 325 was lost be reconsidered.

Which was agreed to.

On motion of Mr. Steedman, said bill was laid on the table.

Mr. Jackson of Perry, on leave, introduced the following bill, which was read the first time:

S. B. No. 366—To pension soldiers of the Mexican war.

Mr. Grove, on leave, introduced the following bill, which was read the first time:

S. B. No. 367—To amend section one of an act passed April 17, 1873, (O. L., Vol. 70, p. 136), relating to township cemeteries.

Mr. Fisher submitted the following report:

The standing committee on Public Printing, to whom was referred S. B. No. 357—To provide for printing and distributing the laws of the present session, and the revised statutes, in permanent form having had the same under consideration, report it back, with the following amendments, and recommend its passage when so amended:

In line 5, section 5, after the word "notes", insert the word "repeals."

In line 6, section 11, after the word "assembly", insert the words "three copies, and to."

At the end of section 4, add the following: "and the appendix; provided, however, that if the Attorney-general and the clerks, of the two Houses, or any two of them, so determine, they may have the revised statutes printed without notes or index, and bound as volume one; and in that case they shall have printed three thousand copies of the index thereto, bound in brochure, a copy of which shall accompany each copy of said volume disposed of before volume two is ready for distribution; and volume two shall contain the other matters above-named, and in the order named, except that the annotations to the revised statutes shall, in such place in that volume as the revision commission shall designate, be arranged under the proper numbers of the sections annotated."

J. C. FISHER, JOHN H. BENSON,
D. D. BEEBE, J. M. ARMSTRONG.

Said amendments were agreed to, and the bill was ordered to be engrossed and read the third time now, and was then read.

Mr. Saltzgaber moved to refer the bill to a select committee of one, with instructions to amend as follows:

In line 2, section 11, strike out "two copies, and for each", and insert: "and the"; and add an "s" to "department", in lines 2 and 3.

Which was agreed to, and Mr. Saltzgaber was appointed such committee, and reported the bill back amended as instructed.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 27, nays none, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Curtiss, Dungan, Fisher, Forrest, Grove, Jackson of Clinton, Jackson of Perry, Krimmel, Marsh, McDonald, Owens, Parker, Richards, Sabine, Saltzgaber, Seitz, Sherrick, Steedman, Stokes, Wagener, Williams and Wilson—27.

So the bill passed. The title was agreed to.

Mr. Jackson of Perry moved that S. B. No. 296 be taken from the table.

Which was agreed to.

The question being on concurring in House amendments to said bill, the yeas and nays were taken, and resulted—yeas 27, nays none, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Curtiss, Fisher, Forrest, Grove, Irvine, Jackson of Clinton, Jackson of Perry, Krimmel, Marsh, McDonald, Parker, Richards, Sabine, Saltzgaber, Seitz, Sherrick, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—27.

So the Senate concurred in said House amendments.

Mr. Saltzgaber moved that S. B. No. 244 be taken from the table.

Which was agreed to.

Mr. Wilson moved to refer the bill to a select committee of one, with instructions to amend as follows:

Add at the end of section 1, line 18, the following words: "and for official misconduct, the Governor may remove from office any commissioner appointed by him."

Which was agreed to, and Mr. Wilson was appointed such committee, and reported the bill back amended as instructed.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 23, nays none, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Carlisle, Dungan, Fisher, Forrest, Grove, Irvine, Jackson of Clinton, Kelley, Marsh, McDonald, Parker, Richards, Sabine, Saltzgaber, Seitz, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—23.

So the bill passed. The title was agreed to.

Leave of absence was asked and obtained for Mr. Joy for this week, on account of death in his family.

Mr. Sherrick submitted the following report:

The standing committee on Finance, to whom was referred H. B. No. 982—Making appropriations for the fiscal year 1879, and the first quarter of the fiscal year 1880—having had the same under consideration, report it back, with the following amendments, and recommend its passage when so amended:

Amendments in section 1:

1. Strike out in line 7, "three thousand dollars (\$3000)", and insert: "twenty-two hundred and fifty dollars (\$2250)".

2. Strike out lines 8 and 9.

3. Strike out in lines 18 and 19, "three hundred and seventy-five dollars (\$375)", and insert: "one hundred dollars (\$100)".

4. Strike out in line 28, "four hundred dollars (\$400)", and insert: "three hundred dollars (\$300)".

5. Add after line 41: File-case, one hundred and three dollars (\$103.00) deficiency."

6. Strike out line 44.

7. Add after line 44: "for inspection of railroad bridges, trestles etc., to insure the safety of passengers, and to be paid to an expert only, six hundred dollars (\$600)".

8. Add in line 51: "\$4,120".

9. Add in line 52: "\$3,000."

10. Add in line 53: "\$100."

11. Strike out in lines 71 and 72, "twenty-five dollars (\$25.00)", and insert: "one hundred dollars (\$100.00)".

12. Strike out in lines 86 and 87, "thirteen hundred and thirty-three dollars and thirty-two cents (\$1333.32)", and insert: "fifteen hundred dollars (\$1500.00)."

13. Add after line 88: "for traveling expenses to inspect mines, four hundred dollars (\$400.00)."

14. In line 98, strike out "twenty thousand dollars (20,000.00)", and insert: "thirty-five thousand dollars (\$35,000.00)."

15. Strike out in line 138, "two hundred and forty dollars (\$240.00)", and insert: "two hundred and sixty dollars (\$260.00)".

Amendment in section 3:

16. Add in line 2, after the word "February", the word "fifteenth."

J. SHERRICK,

J. C. FISHER,

H. W. CURTISS,

THOS. M. BEER.

JOHN SEITZ,

The question being on agreeing to said report of the committee—

Mr. Sherrick moved that the amendments be considered *seriatim*.

Which was agreed to.

Amendments Nos. 1, 2, 3, 4, 5, 8, 9 and 10 were agreed to.

Amendment No. 6 was disagreed to.

The question being on agreeing to amendment No. 7, the yeas and nays were demanded, taken, and resulted—yeas 21, nays 3, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Beer, Benson, Carlisle, Curtiss, Dungan, Fisher, Grove, Jackson of Clinton, Kelley, Marsh, McDonald, Owens, Parker, Richards, Sherrick, Steedman, Tyler, Wagener, Williams and Wilson—21.

Those who voted in the negative were—

Messrs. Forrest, Seitz and Stokes—3.

So said amendment was agreed to.

On motion of Mr. Seitz, the Senate took a recess.

THREE O'CLOCK P.M.

When the Senate took a recess, it had under consideration H. B. No. 982, the pending question being on agreeing to amendment No. 11, as reported by the committee on Finance.

Said amendment was agreed to.

Amendments Nos. 12, 13, 14, 15 and 16 were agreed to.

Mr. Richards then moved to amend said bill as follows:

Insert after line 56: "for furniture and carpet, \$500."

Which was agreed to.

Mr. Wilson moved to amend said bill as follows:

At the end of section 1, add the following: "to pay the teachers and other employes, whose clothing and other necessary articles were burned in the burning of the main building of the Ohio Soldiers' and Sailors' Orphans' Home, \$5,000.00. The said sum is to be paid to such persons and in such amounts as the board of trustees of said home shall find and determine to be just and equitable."

Which was disagreed to.

Mr. Steedman moved to further amend said bill as follows:

In line 42, strike out "\$4000", and insert "\$5000."

Which was agreed to.

Mr. Owens moved to further amend said bill as follows:

In line 82 (State Library, for books), strike out "\$300", and insert "\$900".

Which was agreed to.

Mr. Owens moved to further amend said bill as follows:

In lines 83 and 84 (State Library), strike out "\$500," and insert "\$400."

Which was agreed to.

Mr. Owens moved to further amend said bill as follows:

Add after line 85 (State Library): "For shelving and book-cases, "\$500."

Which was agreed to.

Mr. Carlisle moved to reconsider the vote whereby amendment No. 2 was agreed to.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 15, nays 9, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Benson, Carlisle, Dungan, Jackson of Clinton, Kelley, Krimmel, Richards, Sabine, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—15.

Those who voted in the negative were—

Messrs. Beebe, Beer, Curtiss, Fisher, Grove, Owens, Parker, Saltzgaber and Seitz—9.

So the motion was agreed to.

The question recurring on agreeing to said amendment No. 2, to strike out lines 8 and 9, the yeas and nays were demanded, taken, and resulted—yeas 20, nays 3, as follow :

Those who voted in the affirmative were—

Messrs. Beebe, Beer, Curtiss, Dungan, Fisher, Forrest, Grove, Jackson of Clinton, Kelley, Marsh, McDonald, Owens, Parker, Sabine, Saltzgaber, Seitz, Steedman, Tyler, Williams and Wilson—20.

Those who voted in the negative were—

Messrs. Carlisle, Richards and Stokes—3.

So said amendment was agreed to.

Mr. Owens moved to further amend said bill as follows:

In line 101 (Stationery Clerk, Secretary of State's office), strike out "\$1050," and insert "\$1200."

On which motion the yeas and nays were demanded, taken, and resulted—yeas 7, nays 16, as follow :

Those who voted in the affirmative were—

Messrs. Beebe, Beer, Benson, Curtiss, Kelley, Owens and Sabine—7.

Those who voted in the negative were

Messrs. Carlisle, Dungan, Fisher, Forrest, Grove, Marsh, McDonald, Parker, Saltzgaber, Seitz, Sherrick, Steedman, Stokes, Tyler, Wagener and Williams—16.

So the motion was disagreed to.

Mr. Owens moved to further amend said bill as follows:

In line 101 (Stationery Clerk, Secretary of State's office), strike out "\$1050," and insert "\$1115."

On which motion the yeas and nays were demanded, taken, and resulted—yeas 9, nays 14, as follow :

Those who voted in the affirmative were—

Messrs. Beebe, Beer, Benson, Curtiss, Kelley, Owens, Sabine, Tyler and Wilson—9.

Those who voted in the negative were—

Messrs. Carlisle, Fisher, Forrest, Grove, Marsh, McDonald, Parker, Saltzgaber, Seitz, Sherrick, Steedman, Stokes, Wagener and Williams—14.

So the motion was disagreed to.

Mr. Seitz moved to further amend said bill as follows:

Before line 141, insert the following: "For repairing roof of State House, to be done under the direction of the Superintendent of State House, the sum of twenty-four hundred dollars."

Which was agreed to.

Mr. Dungan moved to further amend said bill as follows:

In line 67, after "diem", insert: "and mileage."

On which motion the yeas and nays were demanded, taken, and resulted—yeas 13, nays 5, as follow :

Those who voted in the affirmative were—

Messrs. Beebe, Beer, Carlisle, Curtiss, Dungan, Kelley, Richards, Sabine, Sherrick, Steedman, Tyler, Wagener and Williams—13.

Those who voted in the negative were—

Messrs. Fisher, McDonald, Parker, Saltzgaber and Seitz—5.

So the motion was agreed to.

Mr. Sherrick moved that said bill be engrossed and read the third time now.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 19, nays 3, as follow :

Those who voted in the affirmative were—

Messrs. Benson, Carlisle, Dungan, Fisher, Forrest, Grove, Jackson of Clinton, Marsh, McDonald, Parker, Richards, Saltzgaber, Seitz, Sherrick, Steedman, Tyler, Wagener, Williams and Wilson—19.

Those who voted in the negative were—

Messrs. Beer, Curtiss and Kelley—3.

So the motion was agreed to, and said bill was engrossed and read the third time.

Mr. Sherrick moved to refer the bill to a select committee of one, with instructions to amend as follows :

In line 133, strike out the word “watch,” and insert “watches.”

Which was agreed to, and Mr. Sherrick was appointed such committee, and reported the bill back amended as instructed.

Mr. Sherrick moved to refer the bill to a select committee of one, with instructions to amend as follows :

Strike out lines 149, 150 and 151.

Which was agreed to, and Mr. Sherrick was appointed such committee, and reported the bill back amended as instructed.

Mr. Dungan moved to refer the bill to a select committee of one, with instructions to amend as follows :

Add after line 7, the following: “Contingent expenses, payable upon vouchers, approved by the Auditor and filed in his office, \$300.”

On which motion the yeas and nays were demanded, taken, and resulted—yeas 8, nays 12, as follow :

Those who voted in the affirmative were—

Messrs. Benson, Carlisle, Dungan, Sabine, Sherrick, Stokes, Tyler and Williams—8.

Those who voted in the negative were—

Messrs. Beebe, Curtiss, Fisher, Forrest, Grove, Kelley, McDonald, Parker, Saltzgaber, Seitz, Steedman and Wagener—12.

So the motion was disagreed to.

On demand of Mr. Steedman, a call of the Senate was had.

Twenty-three Senators answered to their names.

Messrs. Armstrong, Beer, Howland, Irvine, Jackson of Perry, Krimmel, Owens and Wilson were absent.

Mr. Steedman moved that further proceedings under the call be dispensed with.

Which was disagreed to.

On motion of Mr. Tyler, the Sergeant-at-Arms was dispatched for absentees.

Mr. Armstrong having appeared within the bar of the Senate, and answered to his name—

On motion of Mr. Sherrick, further proceedings under the call were dispensed with.

Mr. Sherrick moved to refer the bill to a select committee of one, with instructions to amend as follows :

Strike out the words “and mileage”, in line 67.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 16, nays 5, as follow :

Those who voted in the affirmative were —

Messrs. Armstrong, Beer, Benson, Fisher, Forrest, Grove, Kelley, Marsh, McDonald, Parker, Richards, Saltzgaber, Seitz, Sherrick, Steedman and Wagener—16.

Those who voted in the negative were—

Messrs. Curtiss, Dungan, Owens, Sabine and Tyler—5.

So the motion was agreed to, and Mr. Sherrick was appointed such committee, and reported the bill back amended as instructed.

Mr. Sherrick moved to refer the bill to a select committee of one, with instructions to amend as follows :

In lines 99 and 100, strike out “\$1800”, and insert “\$2300.”

Which was agreed to, and Mr. Sherrick was appointed such committee, and reported the bill back amended as instructed.

The question being “Shall the bill pass?” the yeas and nays were taken, and resulted—yeas 25, nays none, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Curtiss, Dungan, Fisher, Forrest, Grove, Jackson of Clinton, Kelley, Marsh, McDonald, Owens, Parker, Richards, Sabine, Saltzgaber, Seitz, Sherrick, Steedman, Stokes, Tyler, Wagener and Williams—25.

So the bill passed. The title was agreed to.

Mr. Sabine, on leave, introduced the following bill, which was read the first time :

S. B. No. 368—Amendatory to an act passed March 3, 1879, to change the time of holding a district court in Logan county, in the first subdivision of the third district in Ohio.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The House of Representatives has refused to concur in Senate amendments to—

H. B. No. 610—Mr. Van Cleaf—Revising the statutes relating to the executive department.

Attest :

L. A. BRUNNER, *Clerk.*

On motion of Mr. Richards, the Senate insisted on its amendments, and requested the appointment of a committee of Conference.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The House of Representatives has concurred in the passage of the following bill :

Substitute for S. B. No. 288—Mr. Forrest—To provide for the appointment of a collector of costs and fees, and prescribing his duties—with the following amendments, in which the concurrence of the Senate is requested :

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the probate judge, sheriff, and clerk of the court of common pleas of Hamilton county, shall, immediately after the passage of this act, and every two years thereafter, appoint a collector of costs and fees, whose

duty it shall be to collect all costs and fees payable to the fee fund of such county.

SEC. 2. That all costs and fees due the fee fund of such county which may now be due, and have remained unpaid for the space of one year, shall be immediately transferred to such collector of costs and fees for collection, who shall immediately proceed to collect the same, and execution shall issue on his præcipe to enforce payment thereof. That said collector shall pay over all moneys so collected by him, monthly, on the first Monday in each month, to the officer to whose office said collections are made, taking his receipt for the same; and said officer, on the receipt of said costs and fees, shall make the proper entries of payment in the books of his office.

SEC. 3. It is hereby made the duty of the court of common pleas in such county, to fix the compensation of said collector, and the auditor of such county is hereby directed to draw his warrant on the county treasury, payable out of the funds collected and paid in by such collector, for his compensation so fixed as aforesaid.

SEC. 4. Said collector, before entering upon the duties of his office, shall take an oath of office and give an undertaking, with security, to be approved by the court of common pleas, in the sum of five thousand dollars, conditioned for the faithful discharge of his duties as such collector, and that he will pay over all moneys collected by him as provided by this act.

SEC. 5. This act shall take effect and be in force from and after its passage.

Attest:

L. A. BRUNNER, *Clerk*.

Mr. Forrest moved that said bill and amendments be referred to a select committee, consisting of the Senators from Hamilton county.

Which was agreed to.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bills, in which the concurrence of the Senate is requested:

H. B. No. 895—Mr. Dodds—To revise and codify the laws relating to the organization and maintenance of the militia of Ohio.

H. B. No. 1021—Mr. Alexander To authorize certain incorporated villages to build railroads, and to lease or operate the same.

Attest:

L. A. BRUNNER, *Clerk*.

Said bills were read the first time.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has concurred in Senate amendments to --

H. B. No. 858—Mr. Hayman—To amend an act entitled an act to provide for the control and maintenance of libraries in certain cities which, at the last federal census had, and which at any subsequent federal cen-

sus may have a population of ten thousand five hundred and ninety-two, passed and took effect May 14, 1878.

Attest :

L. A. BRUNNER, *Clerk*,

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The House of Representatives accedes to the request of the Senate, and has appointed Messrs. Meuser, Jessup and Leggett a committee of Conference on the part of the House, to consider the differences existing between the two Houses on —

H. B. No. 928—Mr. Meuser—To authorize certain municipal corporations to issue bonds to raise money to construct water-works.

Attest :

L. A. BRUNNER, *Clerk*.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The House of Representatives accedes to the request of the Senate, and has appointed Messrs. Reed of Ross, Van Cleaf and Oglevee a committee of Conference on the part of the House, to consider the differences existing between the two Houses on—

H. B. No. 894—Mr. Alexander—Making appropriations payable out of the general revenue fund.

Attest :

L. A. BRUNNER, *Clerk*.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The House of Representatives has appointed Messrs. Wright, Bloom and Leggett a committee of Conference on part of the House, to consider the differences between the two Houses on S. B. No. 225, by Mr. Jackson of Perry.

Attest :

L. A. BRUNNER, *Clerk*.

Mr. Tyler presented the remonstrance of Wm. B. Crouch, G. A. Frazier and 68 other citizens of Felicity, Clermont county, against the passage of H. B. No. 1003.

Which was referred to the committee on Railroads, Telegraphs and Turnpikes.

Leave of absence was asked and obtained for Mr. Richards until Friday morning next.

Mr. Grove submitted the following report :

The standing committee on Common Schools and School Lands, to whom was referred H. B. No. 851—To authorize the Trustees of fractional township four, fractional range one, Hamilton county, Ohio, to sell school lands in Preble county, Ohio—having had the same under consideration, report it back, and recommend its passage.

G. A. GROVE, C. F. KRIMMEL,
R. G. RICHARDS, THOS. M. BEER.

Said bill was ordered to be engrossed and read the third time to-morrow.

On motion of Mr. Tyler, the Senate adjourned.

Attest :

ALLEN O. MYERS, *Clerk*.

THURSDAY, *May* 15, 1879—10 o'clock A.M.

The Senate met pursuant to adjournment.

Prayer by Rev. J. McCuskey.

The Journal was read and approved.

Mr. Forrest presented the petition of W. W. Scarborough and 138 other citizens of Hamilton county, praying the passage of H. B. No. 1003.

Which was referred to the committee on Railroads, Telegraphs and Turnpikes.

Bills were read the second time and referred, as follows :

H. B. No. 1021—Mr. Alexander—To authorize certain incorporated villages to build railroads, and to lease and operate the same.

Committee on Railroads, Telegraphs and Turnpikes.

H. B. No. 895—Mr. Dodds—To revise and codify the laws relating to the organization and maintenance of the militia of Ohio.

Committee on the Judiciary.

S. B. No. 366—Mr. Jackson of Perry—To pension soldiers of the Mexican war.

Committee on Military Affairs.

S. B. No. 367—Mr. Grove—To amend section one of an act passed April 17, 1873, (70, O. L., 136), relating to township cemeteries.

Committee on Corporations other than Municipal.

S. B. No. 368—Mr. Sabine—Amendatory to an act passed March 3, 1879, to change the time of holding a district court in Logan county, in the first sub-division of the third district in Ohio.

Committee on the Judiciary.

H. B. No. 851—Mr. Lovelace—To authorize the Trustees of fractional township four, fractional range one, Hamilton county, Ohio, to sell school lands in Preble county, Ohio—was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 20, nays none, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Curtiss, Fisher, Forrest, Grove, Jackson of Clinton, Kelley, Krimmel, Owens, Seitz, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—20.

So the bill passed. The title was agreed to.

Mr. Wilson submitted the following report :

The committee of Conference, to whom were referred the matters of difference between the two Houses on H. B. No. 715, having had the same under consideration, report back, recommending that the House concur in Senate amendments Nos. 16 and 20, and that the Senate recede from its

amendment numbered 19; and there being no further differences in reference to said bill, ask to be discharged.

LYMAN J. JACKSON,
GEO. W. WILSON,

Committee on part of the Senate.

HENRY BOHL,
JAMES DOUGLASS,
H. HUME,

Committee on part of the House.

The question being on agreeing to said report, the yeas and nays were taken, and resulted—yeas 22, nays none, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Curtiss, Fisher, Forrest, Grove, Jackson of Clinton, Kelley, Krimmel, Marsh, Sabine, Seitz, Sherrick, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—22.

So the report was agreed to.

Mr. Fisher submitted the following report:

The standing committee on Finance, to whom was referred H. B. No. 1009—To authorize the Board of Education of Newburg township, Cuyahoga county, Ohio, to issue bonds and levy a tax for the purpose of purchasing sites and erecting school-houses thereon—having had the same under consideration, report it back, with the following amendments, and recommend its passage when so amended:

In line 2, section 3, strike out the words “and required.”

In line 6, section 2, strike out “seven,” and insert “six.”

J. C. FISHER, JOHN SEITZ,
THOS. M. BEER, H. W. CURTISS.
J. SHERRICK,

Said amendments were agreed to, and the bill was ordered to be engrossed and read the third time now, and was then read.

The question being “Shall the bill pass?” the yeas and nays were taken, and resulted—yeas 21, nays none, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Carlisle, Curtiss, Fisher, Forrest, Grove, Jackson of Clinton, Kelley, Krimmel, Lord, Marsh, Owens, Seitz, Sherrick, Stokes, Tyler, Wagener, Williams and Wilson—21.

So the bill passed. The title was agreed to.

Mr. Beer submitted the following report:

The standing committee on Finance, to whom was referred H. B. No. 794—Supplementary to an act entitled an act in regard to the boundary monuments on the line between the States of Ohio and Pennsylvania, (O. L., Vol. 75, p. 130)—having had the same under consideration, report it back, and recommend its passage.

THOS. M. BEER, H. W. CURTISS,
J. SHERRICK, J. C. FISHER.
JOHN SEITZ,

Said bill was ordered to be engrossed and read the third time on Tuesday next.

Mr. Seitz submitted the following report:

The standing committee on Finance, to whom was referred S. B. No. 364—To authorize the Trustees of Independence township, Cuyahoga county, to borrow money to meet indebtedness of the poor fund of said township—having had the same under consideration, report it back, and recommend its passage.

JOHN SEITZ,	THOS. M. BEER,
J. SHERRICK,	H. W. CURTISS.
J. C. FISHER,	

Said bill was ordered to be engrossed and read the third time now, and was then read.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 22, nays none, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Carlisle, Curtiss, Fisher, Forrest, Grove, Jackson of Clinton, Kelley, Krimmel, Marsh, Owens, Sabine, Saltzgaber, Seitz, Sherrick, Steedman, Stokes, Wagener, Williams and Wilson—22.

So the bill passed. The title was agreed to.

Mr. Curtiss submitted the following report:

The standing committee on Finance, to whom was referred H. B. No. 927—To authorize the Auditor of Warren county, Ohio, to issue refunding orders on the Treasurer of said county in favor of certain tax-payers—having had the same under consideration, report it back, with the following amendment, and recommend its passage when so amended:

Strike out the preamble.

H. W. CURTISS,	J. SHERRICK,
THOS. M. BEER,	JOHN SEITZ.
J. C. FISHER,	

Said amendment was agreed to, and the bill was ordered to be engrossed and read the third time now, and was then read.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 22, nays none, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Carlisle, Curtiss, Fisher, Forrest, Grove, Kelley, Krimmel, Marsh, Owens, Sabine, Saltzgaber, Seitz, Sherrick, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—22.

So the bill passed. The title was agreed to.

Mr. Sherrick submitted the following report:

The standing committee on Finance, to whom was referred S. B. No. 365—To repeal an act entitled an act to provide for the revision and consolidation of the statute laws of Ohio, passed March 27, 1875, (O. L., Vol. 72, p. 87)—having had the same under consideration, report it back, and recommend its passage.

JOHNSON SHERRICK,	THOS. M. BEER,
H. W. CURTISS,	J. C. FISHER.
JOHN SEITZ,	

Said bill was ordered to be engrossed and read the third time on Thursday next.

Mr. Marsh moved to take from the table the report of the committee appointed under S. R. No. 89, to investigate Longview Asylum.

Which was agreed to.

The question being on Mr. Forrest's motion, to recommit said report to said committee, with instructions—

Mr. Wilson moved to amend said motion as follows :

At the end thereof, add : "but the committee shall not be required to omit from their report the following words, to wit : 'whilst there was no testimony before the committee indicating that the dissatisfaction and complaints had any connection with or was the outgrowth of political feeling, yet there are indications which lead us to believe that this influence has had a tendency to embarrass and prevent the successful management of the institution, and we take this occasion of condemning the practice of reorganizing the charitable institutions of the State for purely political purposes. We believe that such institutions should be kept free, as far as possible, from political influences, and that no officer or employe who is competent and faithful shall be discharged on account of his political sentiments. The sooner such institutions are completely and thoroughly divorced from politics, the better it will be for all interested, and we believe that the full measure of efficiency cannot be attained until this is accomplished.' "

Mr. Owens raised the point of order, that said motion was out of order, not being properly an amendment to the pending motion.

Pending the consideration of which, on motion of Mr. Krimmel, the Senate took a recess.

THREE O'CLOCK P.M.

When the Senate took a recess, it had under consideration the report of the special committee appointed under S. R. No. 89, the pending question being Mr. Owens' point of order, on Mr. Wilson's proposed motion to amend Mr. Forrest's motion to recommit.

The President decided the point of order not well taken.

Mr. Owens moved that said report be laid on the table, and its further consideration be postponed until the 4th day of July next.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 12, nays 12, as follow :

Those who voted in the affirmative were—

Messrs. Dungan, Fisher, Forrest, Grove, Joy, Krimmel, Owens, Steedman, Stokes, Tyler, Wagener and Williams—12.

Those who voted in the negative were—

Messrs. Armstrong, Beebe, Beer, Carlisle, Jackson of Clinton, Kelley, Marsh, Parker, Sabine, Saltzgaber, Seitz and Wilson—12.

So the motion was disagreed to.

The question then recurring on Mr. Wilson's motion to amend Mr. Forrest's motion to recommit, with instructions, the yeas and nays were demanded, taken, and resulted—yeas 6, nays 16, as follow :

Those who voted in the affirmative were—

Messrs. Beebe, Beer, Kelley, Marsh, Sabine and Wilson—6.

Those who voted in the negative were—

Messrs. Armstrong, Dungan, Fisher, Forrest, Grove, Joy, Krimmel, Owens, Parker, Saltzgaber, Seitz, Steedman, Stokes, Tyler, Wagener and Williams—16.

So the motion to amend said instructions was disagreed to.

The question then being on Mr. Forrest's motion to recommit said report to the special committee, with instructions, the yeas and nays were demanded, taken, and resulted—yeas 16, nays 7, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Carlisle, Dungan, Fisher, Forrest, Grove, Joy, Krimmel, Parker, Saltzgaber, Seitz, Steedman, Stokes, Tyler, Wagener and Williams—16.

Those who voted in the negative were—

Messrs. Beebe, Beer, Kelley, Marsh, Owens, Sabine and Wilson—7.

So the motion was agreed to.

Mr. Dungan moved to take from the table S. R. No. 96.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 5, nays 13, as follow :

Those who voted in the affirmative were—

Messrs. Carlisle, Dungan, Forrest, Parker and Saltzgaber—5.

Those who voted in the negative were—

Messrs. Armstrong, Beebe, Beer, Fisher, Grove, Krimmel, Marsh, Owens, Sabine, Steedman, Stokes, Wagener and Williams—13.

So the motion was disagreed to.

Mr. Beebe, on leave, introduced the following bill, which was read the first time :

S. B. No. 369—To authorize the Trustees of Portage township, Summit county, to levy an additional tax.

Mr. Forrest submitted the following report :

The select committee of three, to whom was referred S. B. No. 328, with pending House amendments, recommend the following amendments to House amendments, and, when so amended, that the Senate concur.

Add between the words “the” and “second,” in line 10: “third grade of the.”

In line 18, strike out the word “three,” and insert in lieu thereof the word “five;” and after the word “class,” insert: “and of the first and second grades of the second class.”

In line 20, before the word “second,” insert the words “third grade of the.”

In lines 38 and 39, strike out the words “to be paid out of the county treasury.”

H. W. CURTISS,
W. T. FORREST.

The question being on agreeing to said report and amendments, the yeas and nays were ordered, taken, and resulted—yeas 22, nays none, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Curtiss, Dungan, Fisher, Forrest, Grove, Irvine, Jackson of Clinton, Joy, Kelley, Marsh, Owens, Parker, Sabine, Saltzgaber, Seitz, Steedman, Tyler, Wagener and Wilson—22.

So said report and amendments were agreed to.

Mr. Saltzgaber submitted the following report:

The select committee of four, to whom was referred H. B. No. 593—Revising the statutes relating to drainage—having had the same under consideration, report it back, with the following amendments, and recommend that it be passed when so amended:

1. Page 2, section 2, strike out all between “not,” in line 6, and “but,” in line 8.

1½. Page 3, section 8, after the word “petition,” in line 4, insert: “or as changed by them in accordance with section 43.”

2. Page 5, section 11, before line 10, insert: “a copy of”; in line 18, between “owner” and “by,” insert “or.”

3. Page 6, section 14, strike out all of section before "any," in line 3, and insert: "at any time on or before the day set for hearing after persons are notified as provided in section 12."

4. Page 7, section 17, line 2, strike out "finding," and insert "final."

5. Line 4, after "journal," insert: "determining either of the following matters, viz.:

1. Whether said ditch will be conducive to the public health, convenience or welfare.

2. Whether the route thereof is practicable.

3. The compensation for land appropriated.

4. The damages claimed to property affected by the improvement.

6. Line 4, strike out "by filing," and insert: "and the appellant shall file."

7. Page 8, section 18, strike out all after line 8, and insert: "if he find that the proceedings are irregular in substance, or that the appeal has not been perfected according to law, he shall dismiss the appeal at the cost of the appellant, and certify such dismissal, with his findings thereon, back to the commissioners; but the judge may, in his discretion, order and allow the correction of any technical defect, error or omission in such proceedings."

8. Page 9, section 20, line 7, strike out "each party shall have", and insert: "the plaintiffs shall have two and the defendants."

9. Page 9, section 21, strike out all after line 4, and insert: "the particular matters appealed from, and to render a true verdict according to the facts appearing to them from actual view of the premises and the evidence under the charge of the court."

10. Page 10, section 23, strike out all of the section, and insert:

SEC. 23. The jury shall find and return a verdict determining the matter or matters appealed from, being one or more of the following propositions, viz.:

1. Whether said ditch will be conducive to the public health, convenience or welfare.

2. Whether the route thereof is practicable.

3. The compensation due each appellant for land appropriated.

4. The damages due each appellant for property affected by the improvement.

The jury shall return their verdict in writing, signed by the jurors; as to said first and second propositions, it shall be necessary for only eight jurors to agree; as to the third and fourth, all must agree, and the jury may be polled as in other cases.

11. Page 11, section 25, strike out from the word "by", in line 3, to the word "necessary", in line 8, inclusive.

12. Strike out from the word "to", in line 9, to the word "route," in line 11, inclusive.

13. Page 11, section 26, strike out from the word "to," in line 2, to the word "route", in line 3, inclusive.

14. Strike out all of the section after the word "and", in line 5, and insert: "the commissioners shall assess the costs to the appellant."

15. Page 11, section 27, strike out from the word "that", in line 1, to the word "and", where it first occurs in line 3, inclusive.

16. Line 4, strike out "them", and insert "commissioners."

17. Strike out all of the section after the word "to", in line 6, and insert: "the appellant".

18. Page 12, section 28, strike out all of section 28, before the word "if", in line 9.

19. Insert between the words "party" and "shall", in line 11, the words "as to compensation or damages".

20. Page 14, section 33, after the word "accordingly", in line 8, insert: "against the lots or lands assessed".

21. Page 14, section 33, after the word "payable", in line 13, insert "semi-."

22. Page 13, section 31, line 2, insert after the word "when", the words "a part not less than one-fourth of".

23. Line 5, insert between the words "the" and "amount", the word "proportional."

24. Line 8, insert between the words "for and the", the words "eighty per cent. of."

25. Add to the section the following words: "Or if the commissioners have determined to issue bonds for the construction of such work, then by payment in bonds, as hereinbefore provided. And when the whole contract is completed, the entire contract price shall be paid in the manner aforesaid."

26. Page 15, section 35, strike out the whole section, and insert:

SEC. 35. If the commissioners determine to issue bonds of the county for the money necessary to meet the expense of construction of any ditch, they shall make an assessment upon all the lots, lands, public or corporate roads or railroads benefited by the improvement, in proportion to the apportionment hereinbefore provided for, sufficient to pay the costs of location and the first year's interest, and including the fees of the surveyor or engineer made after locating in superintending the construction of the improvement, and order the same to be placed upon the duplicate for collection; and they shall annually thereafter make such assessments as may be required to raise the money for the prompt payment of such bonds.

27. Page 15, section 36, strike out the whole section and insert:

SEC. 36. The county commissioners shall issue such bonds of the county in amounts as determined by them, payable out of the funds arising from such assessments and bearing interest as hereinbefore provided; said bonds shall be signed by the county commissioners and countersigned by the county auditor, who shall affix his seal thereto; such bonds shall not be sold for less than their par value, and the money arising from such sale shall be used for no other purpose than the construction and expense of said improvement.

28. Page 17, section 39, strike out of lines 13 and 14, the words "the capacity and most feasible location of."

29. Page 17, section 42, after the word "session," in line 6, insert: "locating and establishing such ditch."

30. Page 20, section 46, strike out of the last line the word "exact."

31. Page 30, section 23, after the word "compensation," in line 2, insert: "and damages."

32. Page 33, section 29, strike out of lines 9, 10 and 11, the words "fourth, the amount of labor to be performed by each person interested in the opening and construction of the same."

33. Page 32, section 27, strike out all of line 13, after "pleas," and insert: "the plaintiffs shall be entitled to two, and the defendants two peremptory."

34. Page 33, section 30, strike out all after the word "cases," and insert: "and issue execution therefor."

35. Page 36, section 35, after section add: "but the same work shall not be sold more than once to the same person."

36. Page 41, section 50, in next to last line, strike out "county," and insert "township."

G. M. SALTZGABER,
H. SABINE,
THOS. S. JACKSON.

On motion of Mr. Forrest, said amendments were ordered to be printed, and the bill made the special order of the hour for Wednesday next at 11 o'clock A.M.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has concurred in the passage of the following bill:

S. B. No. 318—Mr. Richards—To authorize the incorporated village of Salem, Columbiana county, Ohio, to levy a tax to improve the streets of said village—with the following amendments, in which the concurrence of the Senate is requested:

Section 1, strike out in lines 10, 11 and 12, to and including the word "then"; same section, line 13, strike out the words "either case."

In section 2, line 4, strike out the words "a majority," and insert "two-thirds."

Attest:

L. A. BRUNNER, *Clerk.*

On motion of Mr. Fisher, said bill and amendments were laid on the table.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has concurred in the passage of the following bills:

S. B. No. 319—Mr. Williams—To authorize the town Council of Woodfield, Monroe county, to issue bonds and levy a tax.

Substitute for S. B. No. 330—Mr. Lord—To amend the act of May 14, 1878, entitled an act to amend, revise and consolidate the statutes relating to municipal corporations, to be known as title twelve, part one of the act to revise and consolidate the general statutes of Ohio, (O. L., Vol. 75, p. 161.)

Attest:

L. A. BRUNNER, *Clerk.*

Mr. Dungan submitted the following report:

The joint committee on Enrollment has examined, and found correctly enrolled, the following bills:

Substitute for S. B. No. 330—To amend the act of May 14, 1878, entitled an act to amend, revise and consolidate the statutes relating to municipal corporations, to be known as title twelve, part one of the act to revise and consolidate the general statutes of Ohio, (O. L., Vol. 75, p. 161.)

S. B. No. 351—An act to amend section two of an act to authorize the creation of an additional school sub district in Beaver Creek township, Greene county, Ohio, passed March 31, 1879.

S. B. No. 319—An act to authorize the town Council of Woodsfield, Monroe county, to issue bonds and levy a tax.

H. B. No. 858—To amend an act entitled an act to provide for the control and maintenance of libraries in certain cities which, at the last federal census had, and which at any subsequent federal census may have a population of ten thousand five hundred and ninety-two, passed and took effect May 14, 1878.

IRVINE DUNGAN,
C. F. KRIMMEL,
C. R. HARMON,
WM. JESSUP,

J. W. WASHBURN,
F. M. CARTER,
E. S. PERKINS.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The Speaker of the House of Representatives has, in the presence of the House, signed the following bills :

S. B. No. 351—Mr. Jackson of Clinton—To amend section two of an act to authorize the creation of an additional school sub-district in Beaver Creek township, Greene county, Ohio, passed March 31, 1879.

S. B. No. 319—Mr. Williams—To authorize the town Council of Woodsfield, Monroe county, to issue bonds and levy a tax.

H. B. No. 858—Mr. Hayman—To amend an act entitled an act to provide for the control and maintenance of libraries in certain cities which, at the last federal census had, and which at any subsequent federal census may have a population of ten thousand five hundred and ninety-two, passed and took effect May 14, 1878.

Substitute for S. B. No. 330—Mr. Lord—To amend the act of May 14, 1878, entitled an act to amend, revise and consolidate the statutes relating to municipal corporations, to be known as title twelve, part one of the act to revise and consolidate the general statutes of Ohio, (O. L., Vol. 75, p. 161.)

Attest :

L. A. BRUNNER, *Clerk.*

The President, in presence of the Senate, signed said bills.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The House of Representatives has concurred in Senate amendments to—

H. B. No. 927—Mr. Wales—To authorize the Auditor of Warren county, Ohio, to issue refunding orders on the Treasurer of said county in favor of certain tax-payers.

Attest :

L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The House of Representatives has concurred in Senate amendments to—

H. B. No. 1009—Mr. Dempcy—To authorize the Board of Education of Newburg township, Cuyahoga county, Ohio, to issue bonds and to levy a tax for the purpose of purchasing sites and erecting school-houses thereon.

Attest:

L. A. BRUNNER, *Clerk*.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has refused to concur in Senate amendments to—

H. B. No. 982—Mr. Alexander—Making appropriations for the year 1879, and first quarter of 1880.

Attest:

L. A. BRUNNER, *Clerk*.

Mr. Seitz moved that the Senate insist on its amendments to said bill. Which was agreed to.

Mr. Fisher moved that a committee of Conference be requested on said bill.

Which was agreed to.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has indefinitely postponed the following bill:

S. B. No. 24—Mr. Richards—To give priority in the trial of all claims for wages of manual labor in the courts of this State.

Attest:

L. A. BRUNNER, *Clerk*.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives accedes to the request of the Senate, and has appointed Messrs. Van Cleaf, Swaim and Oglevee a committee of Conference on the part of the House, to consider the differences existing between the two Houses on—

H. B. No. 610—Mr. Van Cleaf—Revising the statutes relating to the executive department.

Attest:

L. A. BRUNNER, *Clerk*.

The President appointed Messrs. Owens, Fisher and Curtiss as such committee, on part of the Senate.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has concurred in the passage of the following bill:

S. B. No. 351—Mr. Jackson of Clinton—To amend section two of an act to authorize the creation of an additional school sub-district in Beaver Creek township, Greene county, Ohio, passed March 31, 1879—with the following amendment, in which the concurrence of the Senate is requested:

At end of section 1, add the following: "Provided, that said bonds shall not be sold for less than their par value."

Attest:

L. A. BRUNNER, *Clerk*.

The question being on concurring in said House amendment, the yeas and nays were ordered, taken, and resulted—yeas 19, nays none, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Beer, Benson, Curtiss, Fisher, Forrest, Grove, Jackson of Clinton, Marsh, Owens, Sabine, Saltzgaber, Seitz, Sherrick, Stokes, Tyler, Wagener, Williams and Wilson—19.

So the Senate concurred in said House amendment.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bills, in which the concurrence of the Senate is requested:

H. B. No. 860—Mr. Herrick—To amend section one, chapter three, division four of an act entitled an act to amend, revise and consolidate the statutes relating to municipal corporations, to be known as title twelve, part one of the act to revise and consolidate the general statutes of Ohio.

H. B. No. 1029—Mr. Sawyer—To authorize the Council of the village of St. Mary's, Ohio, to transfer certain funds mentioned therein.

H. B. No. 993—Mr. Palmer—To authorize the Trustees of Rockport township, Cuyahoga county, to transfer certain funds therein named.

H. B. No. 952—Mr. Williams—To regulate the fees and compensation of county auditors, probate judges, clerks of the court, sheriffs, coroners, treasurers and recorders.

H. B. No. 1038—Mr. Ellis—To authorize the Board of Education of Clay township, Ottawa county, Ohio, to transfer funds.

Attest:

L. A. BRUNNER, *Clerk*.

Said bills were read the first time.

Mr. Forrest offered the following joint resolution:

S. J. R. No. 93: *Be it resolved by the General Assembly of the State of Ohio,* That the General Assembly adjourn *sine die* on Monday, June 2, 1879, at 9 o'clock A.M.

Mr. Forrest moved that said joint resolution be referred to the committee on Public Printing.

Which was agreed to.

On demand of Mr. Dungan, a call of the Senate was had.

Nineteen Senators answered to their names.

Messrs. Beer, Benson, Curtiss, Grove, Irvine, Jackson of Clinton, Kelley, Krimmel, McDonald and Sherrick were absent.

On motion of Mr. Marsh, the Sergeant-at-Arms was dispatched for absentees.

Mr. Seitz moved that further proceedings under the call be dispensed with.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 9, nays 9, as follow:

Those who voted in the affirmative were—

Messrs. Beebe, Carlisle, Dungan, Fisher, Joy, Seitz, Stokes, Wagener and Williams—9.

Those who voted in the negative were—

Messrs. Armstrong, Forrest, Marsh, Owens, Parker, Sabine, Saltzgaber, Steedman and Tyler—9.

So the motion was disagreed to.

The Sergeant-at-Arms appeared at the bar of the Senate, and announced that he was unable to find any Senators within the limits of the city.

Mr. Forrest moved that further proceedings under the call be dispensed with.

Which was agreed to.

Mr. Forrest submitted the following report:

The committee of Conference, to whom were referred the matters of difference between the two Houses on amended H. B. No. 119, having had the same under consideration, recommend the adoption of the following substitute for Senate amendment No. 2:

Page 6, chapter 2, section 6, line 3, after "clerk," insert: "and in each city of the first class, and city of the first grade of the second class, said sheriff shall provide, at the expense of the county, a sufficient number of ballot-boxes, to cost not exceeding twenty-five dollars each, and which shall be so arranged as to stamp each ballot as it is deposited therein with the name of the precinct where voted; and which, as each ballot is deposited therein, shall indicate on a dial, in figures, visible to all present, the total number of stamped ballots in such box; and which shall also indicate the deposit of each ballot by the sounding of a bell; and which shall be so arranged that two keys and a crank shall be necessary to unlock the box so as to permit the opening thereof or the deposit of a ballot therein; for use in said counties, and cause the same to be deposited with the various township or corporation clerks thereof; and at the closing of the polls the two keys and crank shall be distributed among the judges so that each shall have one. All ballots found in such box that are stamped shall be counted, and no ballots therein shall be counted unless stamped."

And recommend that the House of Representatives concur in Senate amendment No. 5.

And recommend that the Senate recede from amendment No. 7.

And recommend that the words "twenty-five", on line 2, of section 41, chapter 2, be stricken out, and the word "fifty" inserted.

W. T. FORREST,

H. W. CURTISS,

IRVINE DUNGAN,

Committee on part of the Senate.

A. J. SWAIM,

JOHN C. COVERT,

I. B. WRIGHT,

Committee on part of the House.

The question being on agreeing to said report, the yeas and nays were demanded, taken, and resulted—yeas 2, nays 11, as follow:

Those who voted in the affirmative were—

Messrs. Sabine and Saltzgaber—2.

Those who voted in the negative were—

Messrs. Armstrong, Carlisle, Dungan, Fisher, Forrest, Joy, Owens, Parker, Seitz, Steedman and Wagener—11.

So said report was disagreed to.

On motion of Mr. Marsh, the Senate adjourned until to-morrow morning at 8 o'clock.

Attest:

ALLEN O. MYERS, *Clerk.*

FRIDAY, May 16, 1879—8 O'CLOCK A.M.

The Senate met pursuant to adjournment.

The Journal was read and approved.

The President appointed Messrs. Fisher, Sherrick and Beer as a committee of Conference on H. B. No. 982, on part of the Senate.

Mr. Saltzgaber submitted the following report:

The standing committee on Judiciary, to whom was referred H. B. No. 895—To revise and codify the laws relating to the organization and maintenance of the militia of Ohio—having had the same under consideration, report it back, with the following amendment, and recommend its passage when so amended:

Page 1046, chapter 5, section 16, line 3, strike out "shall," and insert "may."

W. T. FORREST, G. M. SALTZGABER,
W. P. HOWLAND, IRVINE DUNGAN.

Said amendment was agreed to, and the bill was ordered to be engrossed and read the third time on Wednesday next.

Bills were read the second time and referred, as follows:

H. B. No. 952—Mr. Williams—To regulate the fees and compensation of county auditors, probate judges, clerks of the courts, sheriffs, coroners, treasurers and recorders.

Committee on Salaries and Fees of Public Officers.

H. B. No. 993—Mr. Palmer To authorize the Trustees of Rockport township, Cuyahoga county, to transfer certain funds therein named.

Committee on Corporations other than Municipal.

H. B. No. 1038—Mr. Ellis—To authorize the Board of Education of Clay township, Ottawa county, to transfer funds.

Committee on Finance.

H. B. No. 1029—Mr. Sawyer—To authorize the Council of the village of St. Mary's, Ohio, to transfer certain funds mentioned therein.

Committee on Municipal Corporations.

H. B. No. 860—Mr. Herrick—To amend section one, chapter three, division four of an act entitled an act to amend, revise and consolidate the statutes relating to municipal corporations, to be known as title twelve, part one of the act to revise and consolidate the general statutes of Ohio.

Committee on the Judiciary.

S. B. No. 369—Mr. Beebe—To authorize the Trustees of Portage township, Summit county, to levy an additional road tax.

Committee on Finance.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has concurred in Senate amendments to House amendments to—

S. B. No. 328—Mr. Curtiss—To amend section two, chapter four, page 467 of the act to revise and consolidate the statutes of Ohio.

Attest:

L. A. BRUNNER, *Clerk*.

Mr. Dungan submitted the following report:

The joint committee on Enrollment has examined, and found correctly enrolled, the following bill:

S. B. No. 328—To amend section two, chapter 4, page 467 of the act to revise and consolidate the statutes of Ohio.

IRVINE DUNGAN,

C. F. KRIMMEL,

J. W. WASHBURN,

WM. JESSUP,

F. M. CARTER,

C. R. HARMON.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The Speaker of the House of Representatives has, in the presence of the House, signed the following bill:

S. B. No. 328—Mr. Curtiss—To amend section two, chapter four, page 467 of the act to revise and consolidate the statutes of Ohio.

Attest:

L. A. BRUNNER, *Clerk*.

The President *pro tem.*, in presence of the Senate, signed said bill.

Mr. Seitz moved that the Senate adjourn.

Which was agreed to, and the President *pro tem.*, in pursuance of S. R. No. 70, declared the Senate adjourned until Tuesday next at 3 o'clock P.M.

Attest:

ALLEN O. MYERS, *Clerk*.

TUESDAY, May 20, 1879—3 O'CLOCK P.M.

The Senate met pursuant to adjournment.

Prayer by Rev. T. P. Abell.

The Journal was read and approved.

H. B. No. 794---Mr. Reed of Trumbull—Supplementary to an act entitled an act in regard to the boundary monuments on the line between the States of Ohio and Pennsylvania, (O. L., Vol. 75, p. 130)—was read the third time.

Mr. Forrest moved that said bill be laid on the table.

Which was agreed to.

Mr. Krimmel submitted the following report:

The joint committee on Enrollment has examined, and found correctly enrolled, the following bills:

H. B. No. 1009—To authorize the Board of Education of Newburg township, Cuyahoga county, Ohio, to issue bonds and levy a tax for the purpose of purchasing sites and erecting school-houses thereon.

H. B. No. 851—To authorize the Trustees of fractional township four, fractional range one, Hamilton county, Ohio, to sell school lands in Preble county, Ohio.

H. B. No. 927—To authorize the Auditor of Warren county, Ohio, to

issue refunding orders on the Treasurer of said county in favor of certain tax-payers.

H. B. No. 1013—To authorize the Commissioners of Pike county to build an improved road, and the Board of Public Works to grant certain rights.

H. B. No. 564—An act to provide for the location, establishment, and construction of a new ditch in part, and for the alteration, changing, straightening, cleaning out, widening, deepening, extending, and otherwise improving certain ditches, drains and water-courses in the counties of Seneca and Sandusky, in the State of Ohio.

C. F. KRIMMEL,	E. S. PERKINS,
R. G. RICHARDS,	F. M. CARTER,
J. W. WASHBURN.	DUNCAN DOW.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The Speaker of the House of Representatives has, in the presence of the House, signed the following bills:

H. B. No. 1009—Mr. Dempsy—To authorize the Board of Education of Newburg township, Cuyahoga county, Ohio, to issue bonds and levy a tax for the purpose of purchasing sites, and erecting school-houses thereon.

H. B. No. 1013—Mr. Washburn—To authorize the Commissioners of Pike county to build an improved road, and the Board of Public Works to grant certain rights.

H. B. No. 927—Mr. Wales—To authorize the Auditor of Warren county, Ohio, to issue refunding orders on the Treasurer of said county in favor of certain tax-payers.

H. B. No. 851—Mr. Lovelace—To authorize the Trustees of fractional township four, fractional range one, Hamilton county, Ohio, to sell school lands in Preble county, Ohio.

Attest:

L. A. BRUNNER, *Clerk.*

The President, in presence of the Senate, signed said bills.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives requests the appointment of another committee of Conference to consider the differences existing between the two Houses on—

H. B. No. 119—Mr. Swaim—To amend and revise the statutes relating to elections.

Attest:

L. A. BRUNNER, *Clerk.*

On motion of Mr. Forrest, the Senate acceded to the request of the House, and the President appointed Messrs. Saltzgaber, Tyler and Wilson as such committee on part of the Senate.

Mr. Carlisle presented the remonstrance of Joshua Miller and 123 other citizens of Fairfield county, against the passage of S. B. No. 353, providing for leasing the Hocking and a portion of the Ohio canal.

Which was referred to the committee on Public Works.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has concurred in the passage of the following bill:

S. B. No. 295—Mr. Wilson—Sub-dividing the Fifth Common Pleas District, and providing for an additional Judge in the third sub-division therein—with the following amendments, in which the concurrence of the Senate is requested:

In section 3, line 4, strike out the following words: "whose term of office shall commence on the second Monday in May, A. D. 1880"; in same section line 6, strike out the following words: "second Tuesday of October," and insert the following words: "day on which the state election is held in the year 1884 and."

Attest:

L. A. BRUNNER, *Clerk*.

On motion of Mr. Wilson, said bill and amendments were referred to the committee on the Judiciary.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has adopted the following joint resolution, in which the concurrence of the Senate is requested:

H. J. R. No. 120—Mr. Van Cleaf—Relating to binding of the Secretary of State's report in muslin.

Attest:

L. A. BRUNNER, *Clerk*.

Mr. Tyler moved that said joint resolution be referred to the committee on Public Printing.

Which was agreed to.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has agreed to the report of the committee of Conference on—

H. B. No. 894—Mr. Alexander—Making appropriations payable out of the general revenue fund.

Attest:

L. A. BRUNNER, *Clerk*.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has concurred in the passage of the following bill:

S. B. No. 358—Mr. Benson—To amend section thirty-five of an act entitled an act to amend, revise and consolidate the statutes relating to crimes and offenses, passed April 10, 1878, (O. L., Vol. 75, p. 198)—with the following amendments, in which the concurrence of the Senate is requested:

Section 1, line 5, and in section 1, line 9, after the words "Lake Erie," insert: "Mercer County Reservoir and Loramie Reservoir in Shelby county."

Section 1, line 7, strike out "pond," and insert "pound."

Attest:

L. A. BRUNNER, *Clerk*.

Mr. Forrest moved that said bill and amendments be referred to the committee on Fish Culture and Game.

Which was agreed to.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has refused to concur in the passage of the following bills:

S. B. No. 185—Mr. Carlisle—To regulate the fees of county engineers.

S. B. No. 248—Mr. Jackson of Clinton—To provide for the punishment of crimes therein named.

Attest:

L. A. BRUNNER, *Clerk*,

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has concurred in the passage of the following bills:

S. B. No. 230—Mr. Jackson of Clinton—To amend section four, chapter five, division three of an act to revise and consolidate the laws relating to civil procedure in Courts of Common Pleas and Superior Courts, in District Courts on appeal, and also the laws relating to procedure in error, mandamus and quo warranto, passed May 14, 1878, (Vol. 75, O. L., p. 665.)

S. B. No. 206—Mr. Howland—To amend section fourteen, of chapter seven of an act entitled an act to amend, revise and consolidate the statutes in relation to criminal procedure, (Laws 1877, p. 354).

Attest:

L. A. BRUNNER, *Clerk*.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives accedes to the request of the Senate, and has appointed Messrs. Alexander, Bull and Hitchcock a committee of Conference on the part of the House, to consider the differences existing between the two Houses on—

H. B. No. 982—Mr. Alexander—Making appropriations for the fiscal year 1879, and the first quarter of the fiscal year 1880.

Attest:

L. A. BRUNNER, *Clerk*.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The following bills have been introduced in the House of Representatives, and read the first time:

H. B. No. 1042—Mr. Crosley—To amend sections three and four of an act to enable the Commissioners of Montgomery and Warren counties to purchase toll-roads, and convert the same into free turnpike roads, passed May 10, 1878, (O. L., Vol. 75, p. 1150.)

H. B. No. 1043—Mr. Hayman—To authorize the transfer, by the City Council of the city of Portsmouth, Scioto county, Ohio, of certain funds herein named.

H. B. No. 1044—Mr. Townsend—Authorizing the County Commissioners of Athens county, Ohio, to levy an additional tax for county and poor purposes.

H. B. No. 1045—Mr. Clough—To amend an act entitled an act to authorize the Council of the incorporated village of Middletown to issue bonds for the purchase of grounds, and the erection and completion of a town-hall, engine and hose-house and prison, passed February 4, 1878.

H. B. No. 1046—Mr. Kellogg—To appropriate money to pay John L. Smith & Co. for labor and materials furnished in excavating the channel of the Maumee river, not included or paid for in the contract for said work.

H. B. No. 1047—Mr. Crosson—To authorize the village of Batavia, Ohio, to transfer certain funds of said incorporated village to the building fund of said village.

H. B. No. 1048—Mr. Crosson—To authorize the incorporated village of Batavia, Ohio, to issue bonds for the purpose of improving town-hall, purchasing ground, and building a village prison.

H. B. No. 1049—Mr. Baker—To provide for the election of members of Council in the city of Lima, in Allen county, in and for the Fourth Ward of said city.

H. B. No. 1050—Mr. Stubbs—To amend section six of an act to regulate enclosures and to provide against trespassing animals, passed January 17, 1840, (O. L., Vol. 38, p. 4).

H. B. No. 1051—Mr. Stubbs—To amend an act for the encouragement of live fence, passed March 5, 1835, (O. L., Vol. 33, p. 23).

H. B. No. 1052—Mr. Sawyer—To authorize the directors of the Union School District of St. Mary's, Auglaize county, to levy and assess an additional tax.

H. B. No. 1053—Mr. Wasson—To authorize the Trustees of Mound Hill Cemetery to use a portion of the funds of said cemetery to improve a road leading to the same.

Attest:

L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bills, in which the concurrence of the Senate is requested:

Substitute for H. B. No. 904—Mr. Mack—To amend sections 4 and 5 of an act entitled an act to provide for the creation and regulation of corporate trade associations in the State of Ohio, (O. L., Vol. 64, p. 145.)

H. B. No. 1007—Mr. Brown of Putnam—To authorize the Board of Education of Blanchard township, Putnam county, to borrow money and issue bonds for a purpose therein named.

H. B. No. 848—Mr. Wright—To regulate public ware houses, excepting those used exclusively for the storage of tobacco, in cities of the first grade of the first class.

H. B. No. 1027—Mr. Greene—To amend the first section of an act entitled an act to enable the Commissioners of Clarke, Franklin, Miami, Pickaway and Pike counties to purchase toll-roads, and convert the same into free roads.

H. B. No. 1006—Mr. Dow—To authorize the Council of the village of Bellefontaine, Ohio, to transfer funds.

H. B. No. 987—Mr. Haley—To provide for the more effectual drainage of Hog Creek Marsh, in Hardin county.

H. B. No. 1040—Mr. Van Cleaf—To authorize the Board of Education of New Holland special school district, Pickaway county, to build a school-house, and issue bonds therefor.

H. B. No. 1016—Mr. Haley—To authorize the Commissioners of Hardin county to pay the indebtedness of the Agricultural Society of said county.

H. B. No. 1028—Mr. Cowgill—To authorize the Boards of Education of Concord and Mad River townships, Champaign county, Ohio, to issue bonds and levy a tax on said townships to raise money to purchase a site and erect a school-house thereon.

H. B. No. 925—Mr. Carpenter—To authorize the establishment of a Children's Home in Meigs county.

H. B. No. 1010—Mr. Palmer—To authorize the Trustees and Board of Education of Strongsville township, Cuyahoga county, Ohio, to levy a tax to build a school-house and town-hall.

H. B. No. 1039—Mr. Dunham—To authorize the Directors of special school district No. 3, of Woodville township, Sandusky county, Ohio, to transfer certain funds named therein.

H. B. No. 857—Mr. Sawyer—For the relief of Theo. Diekman.

H. B. No. 1025—Mr. Washburn—To allow certain village school districts to have boards of school examiners.

Attest :

L. A. BRUNNER, *Clerk.*

Mr. Marsh submitted a report from the committee appointed pursuant to S. R. No. 89, amended as instructed by the Senate.

Mr. Wilson moved that said report be laid on the table and ordered printed.

Which was agreed to.

Mr. Forrest moved that the vote whereby said report was ordered to be printed be reconsidered.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 7, nays 8, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Carlisle, Forrest, Joy, Parker, Steedman and Tyler—7.

Those who voted in the negative were—

Messrs. Beebe, Beer, Fisher, Marsh, Owens, Richards, Sabine and Wilson—8.

So the motion was disagreed to.

Mr. Marsh moved that the Senate adjourn.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 9, nays 7, as follow :

Those who voted in the affirmative were—

Messrs. Beebe, Beer, Marsh, Owens, Richards, Sabine, Steedman, Wagner and Wilson—9.

Those who voted in the negative were—

Messrs. Carlisle, Fisher, Forrest, Joy, Parker, Stokes and Tyler—7.

So the motion was agreed to, and the Senate adjourned.

Attest:

ALLEN O. MYERS, *Clerk*.

WEDNESDAY, *May* 21, 1879—10 o'clock A.M.

The Senate met pursuant to adjournment.

Prayer by Rev. T. P. Abell.

The Journal was read and approved.

Mr. Curtiss presented the petition of Henry N. Raymond and 49 other citizens of Cleveland, Cuyahoga county, asking for the passage of H. B. No. 1003.

Which was referred to the committee on Railroads, Telegraphs and Turnpikes.

Mr. Kelley presented the remonstrance of W. S. Newton and 125 other citizens and tax-payers of Gallipolis, Gallia county, against H. B. No. 1003, or any other bill restricting the sale of railroad tickets by responsible parties.

Which was referred to the committee on Railroads, Telegraphs and Turnpikes.

Bills were read the second time and referred, as follows:

H. B. No. 904—Mr. Mack—To amend section four of an act entitled an act for the creation and regulation of corporate trade associations in the State of Ohio.

Committee on Municipal Corporations.

H. B. No. 1007—Mr. Brown of Putnam—To authorize the Board of Education of Blanchard township, Putnam county, to borrow money and issue bonds for a purpose therein named.

Committee on Common Schools and School Lands.

H. B. No. 848—Mr. Wright—To regulate public ware houses.

Committee on Municipal Corporations.

H. B. No. 1027—Mr. Greene—To amend the first section of an act entitled an act to enable the Commissioners of Clarke, Franklin, Miami, Pickaway and Pike counties to purchase toll-roads and convert them into free roads.

Committee on Roads and Highways.

H. B. No. 1006—Mr. Dow—To authorize the Council of the village of Bellefontaine, Ohio, to transfer funds.

Committee on Finance.

H. B. No. 987—Mr. Haley—To provide for the more effectual drainage of Hog Creek Marsh, in Hardin county.

Committee on Drains and Drainage.

H. B. No. 1016—Mr. Haley—To authorize the Commissioners of Hardin county to pay the indebtedness of the Agricultural Society of said county.

Committee on Agriculture.

H. B. No. 1040—Mr. Van Cleaf—To authorize the Board of Education of Hew Holland district, Pickaway county, to build a school-house and issue bonds therefor.

Committee on Common Schools and School Lands.

H. B. No. 1028—Mr. Cowgill—To authorize the Boards of Education of Concord and Mad River townships, Champaign county, Ohio, to issue bonds and levy a tax on said townships, to raise money to purchase a site and erect a school-house.

Committee on Common Schools and School Lands.

H. B. No. 925—Mr. Carpenter—To authorize the establishing of a Children's Home in Meigs county.

Committee on Finance.

H. B. No. 1010—Mr. Palmer—To authorize the Trustees and Board of Education of Strongsville township, Cuyahoga county, Ohio, to levy a tax to build a school-house and town-hall.

Committee on Finance.

H. B. No. 1039—Mr. Dunham—To authorize the Directors of special school district No. 3, of Woodville township, Sandusky county, Ohio, to transfer certain funds named therein.

Committee on Finance.

H. B. No. 857—Mr. Sawyer—For the relief of Theo. Dickman.

Committee on Claims.

Substitute for H. B. No. 1025—Mr. Washburn—To allow certain village school districts to have boards of school examiners.

Committee on Common Schools and School Lands.

Mr. Fisher submitted the following report:

The committee of Conference, to whom were referred the matters of difference between the two Houses on H. B. No. 894, having had the same under consideration, report as follows:

The committee recommend that Senate amendment No. 1 be amended as follows: Strike out "two hundred," and insert: "one hundred and fifty".

That the Senate recede from amendments Nos. 2, 7, 15, 17, 24 and 27.

That the House concur in amendments Nos. 5, 6, 16, 20, 23 and 28.

That amendments be amended as follows:

No. 3, strike out "four", and insert "three".

No. 4, strike out "two hundred", and insert: "one hundred and fifty".

No. 8, strike out "eight thousand", and insert: "sixty-five hundred".

No. 9, strike out "fifteen hundred", and insert: "twelve hundred and fifty."

No. 12, strike out "four", and insert "three".

No. 13, strike out "two hundred", and insert: "one hundred and fifty."

No. 14, strike out "one thousand", and insert: "eight hundred".

No. 18, strike out "twenty-five hundred", and insert: "two thousand".

No. 19, strike out "five", and insert "three".

No. 25, strike out "six thousand five hundred", and insert: "five thousand".

No. 26, strike out "five thousand nine hundred and forty-two", and insert: "three thousand".

No. 10 be amended to read as follows: "For telephone (provided, the annual rental for all instruments used therewith shall not exceed one hundred dollars), one thousand dollars.

No. 11, strike out the words "and ice-house".

No. 21, strike out all after the figures "86", in Senate amendment.

No. 22 be amended to read as follows: "Two new family buildings, each with a capacity for fifty girls, twenty-five thousand dollars;" and No. 29

be amended to read as follows: "For chemical analysis required by state law, twelve hundred dollars."

JOHNSON SHERRICK,
J. C. FISHER,
H. SABINE,

Committee on part of the Senate.

A. R. VAN CLEAF,
R. J. ALEXANDER,
J. F. OGLEVEE,

Committee on part of the House.

The question being on agreeing to said report, the yeas and nays were taken, and resulted—yeas 23, nays 4, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Beer, Benson, Carlisle, Curtiss, Fisher, Forrest, Grove, Jackson of Clinton, Lord, Marsh, Owens, Parker, Richards, Sabine, Saltzgaber, Seitz, Sherrick, Steedman, Stokes, Wagener, Williams and Wilson—23.

Those who voted in the negative were—

Messrs. Beebe, Howland, Krimmel and Tyler—4.

So the report was agreed to.

The Senate proceeded to the special order of the hour, viz.:

H. B. No. 593—Mr. Brown of Putnam—Revising the statutes relating to drainage.

The question being on agreeing to the amendments reported by the committee—

The same were agreed to.

Mr. Saltzgaber moved to amend said bill as follows:

After the word "necessary," in line 10, section 45, page 19, insert the words "the court in which any such proceedings are begun, shall allow parol proof that said improvement is necessary, and will be conducive to the public health, convenience, or welfare, and that any steps required by law for any improvement have been substantially complied with, notwithstanding the record required to be kept by any board or officer."

Which was agreed to.

Said bill was ordered to be engrossed and read the third time now, and was then read.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 24, nays none, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Curtiss, Fisher, Forrest, Grove, Howland, Jackson of Clinton, Joy, Lord, Marsh, Owens, Parker, Richards, Sabine, Saltzgaber, Seitz, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—24.

So the bill passed. The title was agreed to.

Mr. Forrest submitted the following report:

The select committee of four, to whom was referred House Substitute for S. B. No. 288—To provide for the appointment of a collector of costs and fees, and prescribing his duties—having had the same under consideration, report it back, with the recommendation that the amendments of the House be agreed to.

W. T. FORREST, J. M. ARMSTRONG,
H. C. LORD, THEO. MARSH.

The question being on agreeing to said report, the yeas and nays were ordered, taken, and resulted—yeas 19, nays 1, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Benson, Carlisle, Fisher, Forrest, Grove, Joy, Krimmel, Lord, Marsh, Owens, Parker, Saltzgaber, Seitz, Steedman, Stokes, Tyler, Wagener and Williams—19.

Mr. Beer voted in the negative.

So said report and House amendments were agreed to.

The following bills were introduced, and read the first time:

S. B. No. 370—Mr. Steedman—To provide for the determination of the boundaries of the bed of the part of the Miami and Erie canal, which has been abandoned and conveyed to the city of Toledo.

S. B. No. 371—Mr. Carson—To authorize the town Council of the village of Huntsville, Miami county, to issue bonds of said village to supply said village with water.

On motion of Mr. Owens, the Senate took a recess.

THREE O'CLOCK P.M.

The Senate proceeded to the consideration of H. B. No. 895.

Mr. Owens moved to amend said bill as follows:

In line 6, section 1, of chapter two, after the word "hundred," insert the words "and fifty"; and in the same line, strike out the word "five," and insert "eight"; and in the same line, after the word "artillery," insert the words "of four guns each"; and in line 7, in same section, strike out the word "three," and insert the word "two."

On which motion the yeas and nays were demanded, taken, and resulted—yeas 19, nays 6, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Curtiss, Howland, Jackson of Perry, Joy, Kelley, Krimmel, Lord, Owens, Richards, Sabine, Steedman, Tyler, Wagener and Wilson—19.

Those who voted in the negative were—

Messrs. Fisher, Forrest, Grove, Marsh, Seitz and Sherrick—6.

So the motion was agreed to.

Mr. Richards moved to further amend said bill as follows:

Add at the end of section 2, page 1034, the following: "And the Adjutant-general is hereby authorized to collect in the uniforms of disbanded organizations, and to re-issue them as the best interest of the service may require."

Which was agreed to.

Mr. Owens moved to amend as follows:

In line 5, section 7, of chapter 2, on pages 1035 and 1036, strike out the word "four-gun"; and in same section, strike out all of line 6.

Which was agreed to.

Mr. Steedman moved to strike out the word "twenty," in line 4, section 4, of chapter 2, and insert "forty."

Which was agreed to.

Mr. Seitz moved to further amend said bill as follows:

Wherever the words "National Guard" occurs in the bill, strike out and insert the words: "Ohio Volunteer Militia".

On which motion the yeas and nays were demanded, taken, and resulted—yeas 6, nays 15, as follow :

Those who voted in the affirmative were—

Messrs. Benson, Carlisle, Fisher, Parker, Seitz and Williams—6.

Those who voted in the negative were—

Messrs. Beebe, Beer, Curtiss, Howland, Jackson of Perry, Joy, Kelley, Krimmel, Lord, Marsh, Owens, Sabine, Steedman, Wagener and Wilson—15.

So the motion was disagreed to.

Mr. Owens moved to further amend said bill as follows :

Strike out all of section 16, of chapter 4, on page 1046, and insert the following :

SEC. 16. The county commissioners of each county in which any company, troop or battery is now or may be organized under this act, shall provide for such organization a suitable armory and drill-room, and the expenses thereof shall be paid by such county.

Mr. Seitz demanded a division of the question.

The question first being on striking out, the yeas and nays were demanded, taken, and resulted—yeas 18, nays 1, as follow :

Those who voted in the affirmative were—

Messrs. Beebe, Beer, Benson, Carlisle, Curtiss, Fisher, Forrest, Howland, Joy, Kelley, Krimmel, Lord, Owens, Parker, Saltzgaber, Seitz, Steedman and Wagener—18.

Mr. Marsh voted in the negative.

So the motion to strike out was agreed to.

The question then being on inserting the matter proposed, the yeas and nays were demanded, taken, and resulted—yeas 18, nays 7, as follow :

Those who voted in the affirmative were—

Messrs. Beebe, Beer, Benson, Carlisle, Curtiss, Howland, Jackson of Perry, Joy, Kelley, Krimmel, Lord, Marsh, Owens, Parker, Richards, Sabine, Steedman and Williams—18.

Those who voted in the negative were—

Messrs. Armstrong, Carson, Fisher, Forrest, Saltzgaber, Seitz and Sherrick—7.

So the motion to insert was agreed to.

Said bill was then ordered to be engrossed and read the third time now, and was then read.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 21, nays 1, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beer, Benson, Carlisle, Carson, Curtiss, Howland, Jackson of Clinton, Joy, Kelley, Krimmel, Lord, Marsh, Owens, Parker, Richards, Sabine, Saltzgaber, Steedman, Wagener and Williams—21.

Mr. Fisher voted in the negative.

So the bill passed. The title was agreed to.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The House of Representatives has adopted the following joint resolution, in which the concurrence of the Senate is requested :

H. J. R. No. 123—Mr. Hitchcock—Requesting a joint committee to meet the Governor and State officers of Indiana.

Attest :

L. A. BRUNNER, *Clerk.*

Mr. Fisher moved to amend said joint resolution by substituting therefor the following :

Be it resolved by the General Assembly of the State of Ohio, That a select committee of three on the part of the Senate, and three on the part of the House, together with the President of the Senate and the Speaker of the House of Representatives, are hereby directed to meet a delegation from the State of Indiana, consisting of the Governor and other officials of that State, on its expected arrival in this city on the 22nd inst., and extend to them the courtesies of the State of Ohio, and ascertain and aid in carrying out their wishes, and entertain and provide for them while here. The committee are directed to invite the delegation to the privileges of the floors of the two Houses.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 14, nays 13, as follow :

Those who voted in the affirmative were—

Messrs. Carson, Fisher, Forrest, Howland, Jackson of Clinton, Jackson of Perry, Joy, Lord, Sabine, Saltzgaber, Seitz, Sherrick, Steedman and Wagener—14.

Those who voted in the negative were—

Messrs. Armstrong, Benson, Carlisle, Curtiss, Grove, Kelley, Krimmel, Marsh, Owens, Richards, Stokes, Tyler and Williams—13.

So the motion was agreed to.

The question being on the adoption of the joint resolution as amended, the yeas and nays were ordered, taken, and resulted—yeas 20, nays 2, as follow :

Those who voted in the affirmative were—

Messrs. Benson, Carlisle, Carson, Fisher, Forrest, Jackson of Clinton, Joy, Kelley, Krimmel, Lord, Owens, Parker, Richards, Sabine, Saltzgaber, Seitz, Sherrick, Steedman, Stokes and Wagener—20.

Those who voted in the negative were—

Messrs. Beer and Grove—2.

So said joint resolution was adopted.

Mr. Carlisle submitted the following report :

The standing committee on Roads and Highways, to whom was referred H. B. No. 955—To authorize the Commissioners of Hocking county to appropriate money to construct and maintain a certain bridge—having had the same under consideration, report it back, and recommend its passage.

B. W. CARLISLE,	J. B. WILLIAMS,
J. A. BENSON,	C. S. PARKER.
LINDSEY KELLEY,	

Said bill was ordered to be engrossed and read the third time to-morrow. Mr. Saltzgaber offered the following joint resolution :

S. J. R. No. 94: *Be it resolved by the General Assembly of the State of Ohio,* That the surviving members of the 46th Ohio Veteran Volunteer Infantry be and they are hereby authorized to have, to use at their re-union, to be held at Van Wert, Ohio, on the 9th and 10th of September, 1879, the flag of the 30th Louisiana Regiment, captured by said 46th regiment, and also all other flags and colors formerly belonging to said 46th Regiment. The Adjutant-general is directed to deliver said flags to the order of Colonel Isaac N. Alexander, to be used for such purpose, and then returned.

The question being on the adoption of said joint resolution, the yeas and nays were demanded, taken, and resulted—yeas 24, nays none, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Beer, Benson, Carlisle, Carson, Curtiss, Fisher, Forrest, Grove, Jackson of Clinton, Jackson of Perry, Joy, Kelley, Krimmel, Lord, Marsh, Owens, Sabine, Saltzgaber, Seitz, Steedman, Tyler, Wagener and Williams—24.

So said joint resolution was adopted.

Mr. Forrest submitted the following report:

The standing committee on Judiciary, to whom was referred H. B. No. 880—To amend section fourteen, chapter nine of an act entitled an act to revise and consolidate the laws relating to procedure in the Probate Court, (O. L., Vol. 75, p. 960)—having had the same under consideration, report it back, and recommend its passage.

W. T. FORREST, W. P. HOWLAND,
G. M. SALTZGABER, L. J. JACKSON.

Said bill was ordered to be engrossed and read the third time to-morrow.

Mr. Forrest submitted the following report:

The standing committee on Judiciary, to whom was referred H. B. No. 844—To amend the act of May 7, 1878, entitled an act to revise and consolidate the laws relating to procedure in the Probate Court, (O. L., Vol. 75, p. 836)—having had the same under consideration, report it back, and recommend its passage.

W. T. FORREST, W. P. HOWLAND,
G. M. SALTZGABER, L. J. JACKSON.

Said bill was ordered to be engrossed and read the third time to-morrow.

Mr. Forrest submitted the following report:

The standing committee on Judiciary, to whom was referred H. B. No. 867—To change certain specified times fixed for holding Court of Common Pleas in the counties of Hardin and Logan for the year 1879—having had the same under consideration, report it back, and recommend its passage.

W. T. FORREST, LYMAN J. JACKSON,
W. P. HOWLAND, G. M. SALTZGABER.

Said bill was ordered to be engrossed and read the third time to-morrow.

Mr. Forrest submitted the following report:

The standing committee on Judiciary, to whom was referred H. B. No. 681—To amend the act of May 14, 1878, entitled an act to revise and consolidate the laws relating to civil procedure in Courts of Common Pleas and Superior Courts, in District Courts on appeal, and also the laws relating to procedure in error, mandamus and quo warranto, (Vol. 75, O. L., pp. 597–641)—having had the same under consideration, report it back, and recommend its passage.

W. T. FORREST, G. M. SALTZGABER,
W. P. HOWLAND, LYMAN J. JACKSON.

Said bill was ordered to be engrossed and read the third time to-morrow.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has appointed Messrs. Sextro, Booth

and Palmer as a committee of Conference on part of the House, to consider the differences existing between the two Houses on amended H. B. No. 119, by Mr. Swaim.

Attest :

L. A. BRUNNER, *Clerk*.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The House of Representatives has passed the following bill, in which the concurrence of the Senate is requested :

H. B. No. 1045—Mr. Clough - To amend an act entitled an act to authorize the Council of the incorporated village of Middletown to issue bonds for the purchase of grounds, and the erection and completion of a town-hall, engine and hose-house and prison, passed February 4, 1878.

Attest :

L. A. BRUNNER, *Clerk*.

Said bill was read the first time.

Mr. Richards submitted the following report :

The joint committee on Enrollment has examined, and found correctly enrolled, the following bills :

S. B. No. 296—Relating to the alteration of plats not within municipal corporations.

S. B. No. 230—To amend section four, chapter five, division three of an act to revise and consolidate the laws relating to civil procedure in Courts of Common Pleas and Superior Courts, in District Courts on appeal, and also the laws relating to procedure in error, mandamus and quo warranto, passed May 14, 1878, (Vol. 75, p. 665.)

S. B. No. 206—To amend section fourteen, of chapter seven of an act entitled an act to amend, revise and consolidate the statutes in relation to criminal procedure, (Laws 1877, p. 354).

S. B. No. 288—To provide for the appointment of a collector of costs and fees, and prescribing his duties.

R. G. RICHARDS,	J. W. WASHBURN,
DUNCAN DOW,	WM. JESSUP,
F. M. CARTER,	A. D. MARSH.
C. F. KRIMMEL,	

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The Speaker of the House of Representatives has, in the presence of the House, signed the following bills:

S. B. No. 296—Mr. Jackson of Perry—Relative to the alteration of plats of lots not within municipal corporations.

H. B. No. 564—Mr. Norton—An act to provide for the location, establishment, and construction of a new ditch in part, and for the alteration, changing, straightening, cleaning out, widening, deepening, extending, and otherwise improving certain ditches, drains and water-courses in the counties of Seneca and Sandusky, in the State of Ohio.

Attest :

L. A. BRUNNER, *Clerk*.

The President, in presence of the Senate, signed said bills.

MESSAGE FROM THE GOVERNOR.

THE STATE OF OHIO, EXECUTIVE DEPARTMENT,

COLUMBUS, 21st day of May, 1879.

To the Senate:

I have the honor to nominate, and by and with the advice and consent of the Senate, appoint David A. Houk, of Dayton, Montgomery county, Ohio, to be a Trustee of Dayton Asylum for the Insane, for the unexpired term of L. G. Gould, resigned.

Very respectfully,

RICHARD M. BISHOP.

Said communication was, on motion, referred to the committee on Benevolent Institutions.

MESSAGE FROM THE GOVERNOR.

THE STATE OF OHIO, EXECUTIVE DEPARTMENT,

COLUMBUS, 21st day of May, 1879.

To the Senate:

I have the honor to nominate, and by and with the advice and consent of the Senate, appoint John Greenleaf, of Columbus, Franklin county, Ohio, to be a Trustee of Columbus Asylum for the Insane, for the term of five years, from April 6, 1879.

Very respectfully,

RICHARD M. BISHOP.

Said communication was, on motion, referred to the committee on Benevolent Institutions.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has concurred in the passage of the following bill:

S. B. No. 203—Mr. Krimmel—To revise the laws relating to the common schools—with the following amendments, in which the concurrence of the Senate is requested:

1. Page 16, at the end of section 7, chapter 4, add the following: "Except upon the written consent of two-thirds of the electors residing in the territory affected by such change."

2. Pages 29 and 30, strike out section 9, and insert in lieu thereof:

SEC. 9. Such estimate and levy shall not exceed, in the city of Cincinnati, three mills; in the city of Cleveland, four and one-half mills, and in all other districts seven mills on each dollar of valuation of taxable property.

3. Page 51, section 12, strike out all of line 4, after the first word "pay," to and including the word "board," in line 5.

4. Page 44, add at the end of section 8: "but the provisions of this

section shall not apply to city districts of the first class containing a city of the first grade of the first class."

5. Page 22, section 12, line 5, after the word "notice", insert the following: "may examine witnesses under oath which may be administered by one of their number."

6. Page 22, section 11, at the end of section, add the following: "and shall instruct them in the law applicable to such proceedings."

7. Page 23, section 16, line 1, after the word "report", insert the words "in whole or in part"; also strike out the words "renders judgment against petitioners for." and insert the word "apportion"; also insert after the word "proceeding," in line three, the following words: "between the parties as he may deem right and render judgment accordingly."

8. Page 71, add to section 5: "but no person shall be appointed to the position or exercise the office of state, county, city, or village examiners of teachers who is the agent of or is interested in any book publishing or book selling firm, company or business."

9. Page 5, section 1, line 10, strike out "a resident," and insert "an elector."

10. Page 5, section 3, line 3, make "1879" "1880", and in line 5, make "1880" "1881."

11. Page 7, section 1, line 4, insert after the word "members", the words "who shall have the qualifications of electors therein."

12. Page 14, section 3, line 13, strike out "within five days," and insert: "on or before the third Monday in April."

13. Page 16, add to the end of section 9: "when the electors of a special district, the board of education of which consists of three members, desire that the board shall consist of six members, they may make such change in the same manner as provided for city districts of the second class and village districts in chapter 3, section 8, of this title."

14. Page 19, section 1, lines 4 and 5, strike out the words "at a joint meeting held for that purpose."

15. Page 22, section 10, line 3, strike out "or," and insert "and."

16. Page 24, section 19, line 12, strike out "five," and insert "three."

17. Page 25, section 22, lines 13 and 15, strike out "third," and insert "second."

18. Page 36, section 4, line 6, insert after the word "clerk," the words "or treasurer."

19. Page 48, section 2, line 4, strike out the word "township"; and in line 9 change the word "township" to "district."

20. Page 51, section 12, line 3, change "may" to "shall."

21. Page 68, section 8, line 3, change "five" to "ten"; and after "each," in line 4, strike out "township, village, or special."

22. Page 72, section 9, line 2, strike out "and" between "eighteen and twenty-four," and insert after "twenty-four" the words "and thirty-six."

23. Page 75, section 17, line 3, strike out "six, twelve, eighteen, or twenty-four months," and insert: "one, two, or three years."

24. Page 79, section 7, after the word "twelve," in line 6, insert: "but if such fund is not sufficient to defray all the expenses, the board may order payment of the balance from the contingent fund of the district."

25. Page 80, section 9, after the word "chapter," in line 2, insert the words "except the institute provided for by section 8."

26. Page 76, after section 19, insert the following:

SEC. 20. The provisions of this chapter relating to boards of exam-

iners for city districts of the first class shall be applicable to such boards for city districts of the second class and village districts having a population of not less than twenty-five hundred, except that such boards shall consist of three members, and may grant certificates for one, two, or three years only, and except also, that the examination fees shall be disposed of and statements filed with the county auditor, as provided in section 8 of this chapter, in all such districts not covered by the provisions of section 8, chapter 13, (70 Vol., 195, § 101; 72 Vol., 114, § 99.)

And change section 20 to section 21.

Attest:

L. A. BRUNNER, *Clerk*.

Mr. Richards moved that said bill and amendments be referred to the committee on Common Schools and School Lands.

Which was agreed to.

Mr. Grove, on leave, introduced the following bill, which was read the first time:

S. B. No. 372—Supplementary to an act to provide for the protection of the canals of the State of Ohio, the regulation of the navigation thereof, and for the collection of tolls, passed March 28, 1840, (Swan & Critchfield, 202.)

Mr. Lord submitted the following report:

The select committee of five, to whom was referred H. B. No. 889—To encourage and regulate the study of anatomy, and to repeal section sixteen, of chapter nine of an act entitled an act to amend, revise and consolidate the statutes relating to crimes and offenses—having had the same under consideration, report it back with the recommendation that it be passed.

H. C. LORD, G. M. SALTZGABER,
J. B. WILLIAMS, H. W. CURTISS.
D. D. BEEBE,

Said bill was ordered to be engrossed and read the third time tomorrow.

Mr. Steedman moved that the motion to reconsider the vote whereby the Senate refused to advise and consent to the appointment of Dr. Chas. S. Muscroft, Sr., as Trustee of Longview Asylum, be taken from the table.

Which was agreed to.

The question recurring on the motion to reconsider said vote, the yeas and nays were demanded, taken, and resulted—yeas 13, nays none, as follow:

Those who voted in the affirmative were—

Messrs. Carlisle, Carson, Fisher, Forrest, Grove, Joy, Krimmel, Lord, Parker, Sherrick, Steedman, Tyler and Wagener— 13.

So the motion to reconsider was agreed to.

On demand of Mr. Joy, a call of the Senate was had.

Twenty-nine Senators answered to their names.

Messrs. Beebe, Dungan, Irvine, Johnston, McDonald and Wilson were absent.

On motion of Mr. Benson further proceedings under the call were dispensed with.

The question then being on advising and consenting to said appointment of Dr. Chas. S. Muscroft, Sr., the yeas and nays were taken, and resulted—yeas 15, nays none, as follow:

Those who voted in the affirmative were—

Messrs. Carlisle, Carson, Fisher, Forrest, Jackson of Perry, Joy, Krim-

mel, Lord, Parker, Saltzgaber, Sherrick, Steedman, Tyler, Wagener and Williams—15.

So the Senate refused to advise and consent to said appointment.

The following bills were introduced, and read the first time :

S. B. No. 373—Mr. Jackson of Perry—To provide for placing the names of streets and numbers of houses on the property of private individuals, by order of city council.

S. B. No. 374—Mr. Krimmel—Granting the right of way over the berme bank of the Columbus feeder to the Ohio canal, from Columbus to Shadesville, to the Columbus, Jeffersonville and Cincinnati Railroad Company, for the purpose of constructing, maintaining and operating a railroad thereon.

On motion of Mr. Curtiss, the Senate adjourned.

Attest :

ALLEN O. MYERS, *Clerk.*

THURSDAY, *May* 22, 1879—10 O'CLOCK A.M.

The Senate met pursuant to adjournment.

Prayer by Rev. T. P. Abell.

The Journal was read and approved.

Mr. Sabine presented the petition of F. B. Campbell and 138 other citizens of Marion and Hardin counties, praying for the passage of a bill by the Ohio Legislature, that will protect railroad companies against illegitimate traffic in tickets.

Which was referred to the committee on Railroads, Telegraphs and Turnpikes.

Mr. Beer presented the petition of Horr, Warner & Co. and 43 other citizens of Wellington, Lorain county, Ohio, praying for the passage of H. B. No. 1003.

Which was referred to the committee on Railroads, Telegraphs and Turnpikes.

Mr. Saltzgaber presented the petition of H. C. McGavren and 150 other citizens of Van Wert county, praying for the passage of H. B. No. 1003.

Which was referred to the committee on Railroads, Telegraphs and Turnpikes.

Mr. Saltzgaber presented the petition of W. K. Boone and 100 other citizens of Allen county, asking favorable action on H. B. No. 1003.

Which was referred to the committee on Railroads, Telegraphs and Turnpikes.

Mr. Howland presented the petition of A. F. Hubbard and 26 other citizens of Ashtabula county, asking for the passage of H. B. No. 1003.

Which was referred to the committee on Railroads, Telegraphs and Turnpikes.

Mr. Krimmel presented the remonstrance of George Davenport and 256 other citizens of Pickaway and Franklin counties, against passage of S. B. No. 353.

Which was referred to the committee on Public Works.

Mr. Seitz presented the memorial of A. Brokaw and 435 other citizens of Galion, Crawford county, asking for the passage of H. B. No. 1003, for the suppression of railway ticket brokers.

Which was referred to the committee on Railroads, Telegraphs and Turnpikes.

Mr. Beebe presented the petition of George W. Crouse and 85 other citizens of Akron, Summit county, asking for the passage of a law to protect railroad companies against illegitimate traffic in tickets.

Which was referred to the committee on Railroads, Telegraphs and Turnpikes.

Mr. Owens presented the petition of M. Cadwalder and 234 other citizens of Delaware and Licking counties, praying for the passage of H. B. No. 1003.

Which was referred to the committee on Railroads, Telegraphs and Turnpikes.

Mr. Curtiss presented the petition of W. F. Madigan and 40 other citizens of Cleveland, Cuyahoga county, asking for the passage of H. B. No. 1003.

Which was referred to the committee on Railroads, Telegraphs and Turnpikes.

Mr. Beer presented the petition of James Allison and 114 other citizens of Mansfield, Richland county, Ohio, praying for the passage of H. B. No. 1003.

Which was referred to the committee on Railroads, Telegraphs and Turnpikes.

Mr. Richards presented the petition of J. L. Truesdale and 135 other citizens of Columbiana county, asking the passage of H. B. No. 1003, providing relief against the illegitimate traffic in railroad tickets.

Which was referred to the committee on Railroads, Telegraphs and Turnpikes.

Mr. Jackson of Clinton presented the petition of Jno. B. Allen and 72 other citizens of Greene county, asking for the passage of H. B. No. 1003, and asked its reference to the committee on Railroads, Telegraphs and Turnpikes.

Mr. Beer presented the remonstrance of James P. Seward and 78 other citizens of Mansfield, Ohio, protesting against the passage of H. B. No. 1003.

Which was referred to the committee on Railroads, Telegraphs and Turnpikes.

Mr. Williams presented the petition of L. T. Patterson and 92 other citizens of Guernsey county, asking for the passage of H. B. No. 1003.

Which was referred to the committee on Railroads, Telegraphs and Turnpikes.

Mr. Wagener presented the petition of Fred. Muhleman and 143 other citizens of Belmont county, praying for the passage of H. B. No. 1003, and asked that it be referred to the committee on Railroads, Telegraphs and Turnpikes.

Mr. Carson presented the petition of William Shine, Henry Flash and 442 other citizens of Shelby and Miami counties, praying for the passage of H. B. No. 1003, and asked that it be referred to the committee on Railroads, Telegraphs and Turnpikes.

Mr. Beer presented the petition of L. B. Daniels and 28 other citizens of Grafton, Lorain county, Ohio, asking for passage of H. B. No. 1003.

Which was referred to the committee on Railroads, Telegraphs and Turnpikes.

Mr. Johnston presented the petition of Brown, Bonnell & Co. and other citizens of Mahoning county, asking for passage of H. B. No. 1003.

Which was referred to the committee on Railroads, Telegraphs and Turnpikes.

Mr. Carlisle presented the remonstrance of C. Robbins and 507 other citizens of Athens county, against the passage of any bill to lease the Hocking canal or any portion of the canals of Ohio.

Which was referred to the committee on Public Works.

Mr. Grove presented the petition of J. McDaniel and 68 other citizens of the city of Dayton, asking for passage of H. B. No. 1003, and asked that it be referred to the committee on Railroads, Telegraphs and Turnpikes.

Mr. Carlisle presented the remonstrance of D. A. Miller and 308 other citizens of Hocking county, against the passage of any law abandoning the Hocking or any other canal, or any lease of the same.

Which was referred to the committee on Public Works.

Mr. Marsh presented the remonstrance of C. H. Sebastian and 224 other citizens of Hamilton county, against the passage of H. B. No. 1003.

Which was referred to the committee on Railroads, Telegraphs and Turnpikes.

Mr. Carlisle presented the petition of J. M. Connell and 193 other citizens of Fairfield county, praying for the passage of H. B. No. 1003.

Which was referred to the committee on Railroads, Telegraphs and Turnpikes.

Mr. Benson presented the petition of M. L. Mooney, G. E. Raymond and 350 other citizens of Morrow and Knox counties, asking for the passage of H. B. No. 1003, and asked its reference to the committee on Railroads, Telegraphs and Turnpikes.

Mr. Richards presented the petition of Ross Moss Grove and 186 other citizens of Jefferson county, asking the passage of H. B. No. 1003, to protect the legitimate sale of railroad tickets.

Which was referred to the committee on Railroads, Telegraphs and Turnpikes.

Mr. Jackson of Perry presented the petition of Charles C. Russell and 132 other citizens of Muskingum county, asking the passage of H. B. No. 1003, to protect railroad companies against illegitimate traffic in railroad tickets.

Which was referred to the committee on Railroads, Telegraphs and Turnpikes.

Mr. Saltzgaber presented the petition of Wm. R. Hansford and 90 other citizens of Defiance county, asking the passage of H. B. No. 1003.

Which was referred to the committee on Railroads, Telegraphs and Turnpikes.

Mr. Steedman presented the petition of N. M. Howard and 57 other citizens of Lucas county, asking the passage of H. B. No. 1003.

Which was referred to the committee on Railroads, Telegraphs and Turnpikes.

Mr. Fisher presented the petition of John Hover and 268 other citizens of Tuscarawas and Coshocton counties, in favor of the passage of H. B. No. 1003, to abolish scalpers.

Which was referred to the committee on Railroads, Telegraphs and Turnpikes.

Mr. Carlisle presented the remonstrance of James V. Kinney and 1407 other citizens of Fairfield county, against the passage of S. B. No. 353, or any other bill to lease or abandon any portion of the canals of Ohio.

Which was referred to the committee on Public Works.

Mr. Sherrick presented the petition of James Peacock, S. Shimp and 197 other citizens of Stark county, for the passage of H. B. No. 1003, to protect railroad companies from the illegitimate traffic in tickets.

Which was referred to the committee on Railroads, Telegraphs and Turnpikes.

Mr. Carlisle presented the remonstrance of A. J. Courtright and 305 other citizens of Fairfield county, against the passage of S. B. No. 353, or any other bill proposing to interfere with the canals of Ohio.

Which was referred to the committee on Public Works.

Bills were read the second time and referred, as follows:

H. B. No. 1045—Mr. Clough—To amend an act entitled an act to authorize the Council of the incorporated village of Middletown to issue bonds for the purchase of grounds, and the erection and completion of a town-hall, engine and hose house and prison, passed February 4, 1878.

Committee on Municipal Corporations.

S. B. No. 370—Mr. Steedman—To provide for the determination of the boundaries of the bed of the part of the Miami and Erie canal which has been abandoned and conveyed to the city of Toledo.

Committee on Municipal Corporations.

S. B. No. 372—Mr. Grove—Supplementary to an act to provide for the protection of the canals of the State of Ohio, the regulation of the navigation thereof, and for the collection of tolls, passed March 28, 1840, (S. & C., p. 202.)

Committee on Public Works and Public Lands.

S. B. No. 373—Mr. Jackson of Perry—To provide for placing the names of streets and numbers of houses on the property of private individuals, by order of the City Council.

Committee on Municipal Corporations.

S. B. No. 374—Mr. Krimmel—Granting the right of way over the berme bank of the Columbus feeder to the Ohio canal, from Columbus to Shadesville, to the Columbus, Jeffersonville and Cincinnati Railroad Company, for the purpose of constructing, maintaining and operating a railroad thereon.

Committee on Public Works and Public Lands.

S. B. No. 371—Mr. Carson—To authorize the town Council of the village of Huntsville, Miami county, to issue bonds of said village to supply said village with water.

Mr. Carson moved that the constitutional rule, requiring bills to be read on three different days, be suspended, that S. B. No. 371 may be read the third time.

On which motion the yeas and nays were taken, and resulted—yeas 28, nays 1, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Carson, Curtiss, Fisher, Howland, Jackson of Clinton, Jackson of Perry, Johnston, Joy, Kelley, Krimmel, Loid, Marsh, McDonald, Owens, Parker, Richards, Sabine, Saltzgaber, Steedman, Stokes, Tyler, Wagener and Williams—28.

Mr. Forrest voted in the negative.

So the motion was agreed to, and said bill was engrossed and read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 25, nays none, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Carson, Curtiss, Grove, Jackson of Clinton, Jackson of Perry, Johnston, Joy, Kelley, Krimmel, Lord, Owens, Parker, Richards, Sabine, Saltzgaber, Sherrick, Stokes, Tyler, Wagener and Williams—25.

So the bill passed. The title was agreed to.

Mr. Johnston submitted the following report:

The joint committee on Enrollment has examined, and found correctly enrolled, the following bill and joint resolution:

H. B. No. 894—Making appropriations for fiscal year 1879, and the first quarter of the fiscal year 1880, payable out of the revenue fund.

Substitute for H. J. R. No. 123—Providing for a joint committee to receive the Governor of Indiana.

J. R. JOHNSTON,
A. D. MARSH,
C. R. HARMON,
C. F. KRIMMEL,

J. W. WASHBURN,
F. M. CARTER,
WM. JESSUP,
R. G. RICHARDS.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has concurred in the adoption of—

Senate Substitute for H. J. R. No. 123—Mr. Hitchcock—Providing for a joint committee to receive the Governor of Indiana.

Attest:

L. A. BRUNNER, *Clerk*,

The President appointed Messrs. Armstrong, Williams and Beebe as a committee on the part of the Senate, in pursuance of H. J. R. No. 123.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The Speaker of the House of Representatives has, in the presence of the House, signed the following bills and joint resolution:

Substitute for H. J. R. No. 123—Mr. Hitchcock—Requesting a joint committee to meet the Governor and State officers of Indiana.

H. B. No. 894—Mr. Alexander—Making appropriations for the fiscal year 1879, and first quarter of the fiscal year 1880, payable out of the revenue fund.

S. B. No. 206—Mr. Howland—To amend section fourteen, of chapter seven of an act entitled an act to amend, revise and consolidate the statutes in relation to criminal procedure, (Laws of 1877, p. 354.)

S. B. No. 230—Mr. Jackson of Clinton—To amend section four, chapter five, division three of an act to revise and consolidate the laws relating to civil procedure in Courts of Common Pleas and Superior Courts, in District Courts on appeal, and also the laws relating to procedure in error, mandamus and quo warrant, passed May 14, 1878, (O. L., Vol. 75 p. 665.)

House Substitute for S. B. No. 288—Mr. Forrest—To provide for the appointment of a collector of costs and fees, and prescribing his duties.

Attest:

L. A. BRUNNER, *Clerk*.

The President, in presence of the Senate, signed said bills and joint resolution.

H. B. No. 955—Mr. Wolf—To authorize the Commissioners of Hocking county to appropriate money to construct and maintain a certain bridge—was read the third time.

The question being “Shall the bill pass?” the yeas and nays were taken, and resulted—yeas 20, nays 3, as follow :

Those who voted in the affirmative were—

Messrs. Beebe, Beer, Carlisle, Carson, Curtiss, Fisher, Grove, Jackson of Clinton, Jackson of Perry, Joy, Krimmel, Lord, McDonald, Owens, Sabine, Steedman, Stokes, Tyler, Wagener and Williams—20.

Those who voted in the negative were—

Messrs. Benson, Howland and Johnston—3.

So the bill passed. The title was agreed to.

H. B. No. 867—Mr. Dow—To change certain specified times fixed for holding Court of Common Pleas in the counties of Hardin and Logan, for the year A.D. 1879—was read the third time.

The question being “Shall the bill pass?” the yeas and nays were taken, and resulted—yeas 23, nays 1, as follow :

Those who voted in the affirmative were—

Messrs. Beebe, Beer, Carlisle, Curtiss, Forrest, Grove, Howland, Jackson of Clinton, Jackson of Perry, Johnston, Joy, Kelley, Krimmel, Lord, Owens, Parker, Richards, Sabine, Saltzgaber, Steedman, Tyler, Wagener and Williams—23.

Mr. Benson voted in the negative.

So the bill passed. The title was agreed to.

H. B. No. 844—Mr. Perkins—To amend the act of May 7, 1878, entitled an act to revise and consolidate the laws relating to procedure in the Probate Court, (75 Vol., 836)—was read the third time.

The question being “Shall the bill pass?” the yeas and nays were taken, and resulted—yeas 30, nays none, as follow :

Those who voted in the affirmative were—

Messrs. Beebe, Beer, Benson, Carlisle, Carson, Curtiss, Fisher, Forrest, Grove, Howland, Jackson of Clinton, Jackson of Perry, Johnston, Kelley, Krimmel, Lord, Marsh, McDonald, Owens, Parker, Richards, Sabine, Saltzgaber, Seitz, Sherrick, Steedman, Stokes, Tyler, Wagener and Williams—30.

So the bill passed. The title was agreed to.

H. B. No. 880—Mr. Leggett—To amend section 14, chapter nine of an act entitled an act to revise and consolidate the laws relating to procedure in the Probate Court, (O. L., Vol. 75, p. 960—was read the third time.

The question being “Shall the bill pass?” the yeas and nays were taken, and resulted—yeas 22, nays 1, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Carlisle, Carson, Curtiss, Forrest, Jackson of Clinton, Krimmel, Lord, Marsh, McDonald, Parker, Richards, Sabine, Saltzgaber, Seitz, Steedman, Stokes, Tyler, Wagener and Williams—22.

Mr. Benson voted in the negative.

So the bill passed. The title was agreed to.

H. B. No. 681—Mr. Wright—To amend the act of May 14, 1878, entitled an act to revise and consolidate the laws relating to civil procedure in Courts of Common Pleas and Superior Courts, in District

Courts on appeal, and also the laws relating to procedure in error, mandamus and quo warranto, (Vol. 75, O. L., pp. 597-641,)—was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 25, nays none, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Benson, Carlisle, Curtiss, Forrest, Grove, Howland, Jackson of Clinton, Jackson of Perry, Kelley, Krimmel, Lord, Marsh, McDonald, Owens, Parker, Richards, Saltzgaber, Seitz, Sherrick, Steedman, Stokes, Tyler, Wagener and Williams-- 25.

So the bill passed. The title was agreed to.

The Senate then considered H. B. No. 889—Mr. Norton—To encourage and regulate the study of anatomy, and to repeal section sixteen, of chapter nine of an act entitled an act to amend, revise and consolidate the statutes relating to crimes and offenses.

Mr. Howland moved to amend said bill as follows:

At the end of section 1, add: "Provided, that it shall be the duty of those having charge of the institutions mentioned in section 1 of this act, upon the death of any inmate, to notify the friends or relatives of such deceased, by letter or otherwise, if known to the officers of such institutions, (provided, such demand is made within 48 hours after such notice); after "notice," strike out the words "if known," in line 15, section 1.

Pending which, on motion of Mr. Jackson of Perry, said bill and pending amendment were laid on the table.

S. B. No. 365—Mr. Forrest—To repeal an act entitled an act to provide for the revision and consolidation of the statute laws of Ohio, passed March 27, 1875, (O. L., Vol. 72, p. 57) was read the third time.

Mr. Howland moved that said bill be laid on the table.

Which was agreed to.

The following bills were introduced, and read the first time :

S. B. No. 375—Mr. Jackson of Perry—To authorize the Board of Education of the village of New Straitsville, Perry county, to issue bonds to purchase a school house.

S. B. No. 376—Mr. Tyler—To authorize the Council of the village of Milford, Clermont county, Ohio, to procure a prison.

Mr. Saltzgaber submitted the following report:

The standing committee on Judiciary, to whom was referred S. B. No. 340—To amend section ten, of chapter six, division two of an act entitled an act to revise and consolidate the laws relating to civil procedure in Courts of Common Pleas and Superior Courts, in District Courts on appeal, and also the laws relating to procedure in error, mandamus, and quo warranto, passed May 14, 1878, (O. L., Vol. 75, pp. 613 and 614)—having had the same under consideration, report it back, with the following amendments, and recommend its passage when so amended :

In line 12, strike out "conductor," and in same line, after "thereof," the words "or if there is no such agent, then upon any regular conductor."

W. T. FORREST,	W. P. HOWLAND,
G. M. SALTZGABER,	D. WAGENER.
LYMAN J. JACKSON,	

Said amendments were agreed to, and the bill was ordered to be engrossed and read the third time to-morrow.

Mr. Beer submitted the following report:

The standing committee on Finance, to whom was referred H. B. No. 925—To authorize the establishment of a Children's Home in Meigs county—having had the same under consideration, report it back, and recommend its passage.

J. SHERRICK;	H. W. CURTISS,
J. M. CARSON,	H. C. LORD,
JOHN SEITZ,	THOS. M. BEER.
J. C. FISHER,	

Said bill was ordered to be engrossed and read the third time tomorrow.

Mr. Curtiss submitted the following report:

The standing committee on Finance, to whom was referred H. B. No. 1039—To authorize the Directors of special school district No. 3, of Woodville township, Sandusky county, Ohio, to transfer certain funds named therein—having had the same under consideration, report it back, and recommend its passage.

THOS. M. BEER,	H. W. CURTISS,
J. SHERRICK,	J. C. FISHER.
JOHN SEITZ,	

Said bill was ordered to be engrossed and read the third time tomorrow.

Mr. Fisher submitted the following report:

The standing committee on Finance, to whom was referred H. B. No. 1038—To authorize the Board of Education of Clay township, Ottawa county, Ohio, to transfer funds—having had the same under consideration, report it back, and recommend its passage.

J. C. FISHER,	JOHN SEITZ,
THOS. M. BEER,	H. W. CURTISS,
J. SHERRICK,	H. C. LORD.

Said bill was ordered to be engrossed and read the third time tomorrow.

Mr. Lord submitted the following report:

The standing committee on Finance, to whom was referred S. B. No. 246—For the relief of Captain John Porter—having had the same under consideration, report it back without recommendation.

J. SHERRICK,	THOS. M. BEER,
H. W. CURTISS,	J. C. FISHER,
JOHN SEITZ,	H. C. LORD.
J. M. CARSON,	

Said bill was ordered to be engrossed and read the third time tomorrow.

Mr. Sherrick submitted the following report:

The standing committee on Finance, to whom was referred H. B. No. 1006—To authorize the Council of the village of Bellefontaine, Ohio, to transfer funds—having had the same under consideration, report it back, and recommend its passage.

J. SHERRICK,	H. W. CURTISS,
J. C. FISHER,	THOS. M. BEER,
J. M. CARSON,	JOHN SEITZ.

Said bill was ordered to be engrossed and read the third time tomorrow.

Mr. Seitz submitted the following report :

The standing committee on Finance, to whom was referred H. B. No. 1010—To authorize the Trustees and Board of Education of Strongsville township, Cuyahoga county, Ohio, to levy a tax to build a school-house and town-hall—having had the same under consideration, report it back, and recommend its passage.

JOHN SEITZ,	H. C. LORD,
J. SHERRICK,	J. C. FISHER,
H. W. CURTISS,	THOS. M. BEER.

Said bill was ordered to be engrossed and read the third time tomorrow.

Mr. Marsh submitted the following report :

The standing committee on Municipal Corporations, to whom was referred S. B. No. 276—To amend an act entitled an act to regulate the letting of contracts for the doing of public work, and the better protection of mechanics, passed May 5, 1877, (O. L., Vol. 74, p. 186)—having had the same under consideration, report it back without recommendation.

THEO. MARSH,	R. G. RICHARDS,
G. A. GROVE,	L. J. JACKSON.
G. M. SALTZGABER,	

Said bill was ordered to be engrossed and read the third time tomorrow.

Mr. Marsh submitted the following report :

The standing committee on Municipal Corporations, to whom was referred S. B. No. 362—To authorize the City Council of Newark, Licking county, to purchase a steam fire-engine, and to issue bonds to pay for the same—having had the same under consideration, report it back, and recommend its passage.

THEO. MARSH,	G. M. SALTZGABER,
R. G. RICHARDS,	LYMAN J. JACKSON.
G. A. GROVE,	

Said bill was ordered to be engrossed and read the third time tomorrow.

Mr. Marsh submitted the following report :

The standing committee on Municipal Corporations, to whom was referred H. B. No. 1029—To authorize the Council of the village of St. Mary's, Ohio, to transfer certain funds mentioned therein—having had the same under consideration, report it back, and recommend its passage.

THEO. MARSH,	G. A. GROVE,
R. G. RICHARDS,	G. M. SALTZGABER,
JAS. B. STEEDMAN,	LYMAN J. JACKSON.

Said bill was ordered to be engrossed and read the third time tomorrow.

Mr. Marsh submitted the following report :

The standing committee on Municipal Corporations, to whom was referred H. B. No. 971—To authorize the Trustees of Spencer township, Guernsey county, to transfer certain funds named therein—having had the same under consideration, report it back, and recommend its passage.

THEO. MARSH,	JAS. B. STEEDMAN,
R. G. RICHARDS,	G. M. SALTZGABER,
G. A. GROVE,	LYMAN J. JACKSON.

Said bill was ordered to be engrossed and read the third time tomorrow.

Mr. Marsh submitted the following report:

The standing committee on Municipal Corporations, to whom was referred H. B. No. 978—Relating to the improvement of City Hall of Xenia, Greene county, Ohio—having had the same under consideration, report it back, and recommend its passage.

THEO. MARSH,	JAS. B. STEEDMAN.
R. G. RICHARDS,	LYMAN J. JACKSON.
G. A. GROVE,	

Said bill was ordered to be engrossed and read the third time tomorrow.

Mr. Marsh submitted the following report:

The standing committee on Municipal Corporations, to whom was referred H. B. No. 976—To authorize the village Council of Cleves, Hamilton county, Ohio, to transfer certain funds—having had the same under consideration, report it back, and recommend its passage.

THEO. MARSH,	R. G. RICHARDS,
JAMES B. STEEDMAN,	G. A. GROVE,
G. M. SALTZGABER,	L. J. JACKSON.

Said bill was ordered to be engrossed and read the third time tomorrow.

Mr. Fisher submitted the following report:

The standing committee on Finance, to whom was referred S. B. No. 369—To authorize the Trustees of Portage township, Summit county, to levy additional road tax—having had the same under consideration, report it back, and recommend its passage.

J. C. FISHER,	H. W. CURTISS,
H. C. LORD,	JOHN SEITZ,
THOS. M. BEER,	J. SHERRICK.

Said bill was ordered to be engrossed and read the third time tomorrow.

Mr. Carson submitted the following report:

The standing committee on Common Schools and School Lands, to whom was referred H. B. No. 1028—To authorize the Boards of Education of Concord and Mad River townships, Champaign county, Ohio, to issue bonds and levy a tax on said townships, to raise money to purchase a site and erect a school-house thereon—having had the same under consideration, report it back, and recommend its passage.

J. M. CARSON,	C. F. KRIMMEL,
R. G. RICHARDS,	THOS. M. BEER,
G. A. GROVE,	H. C. LORD,

Said bill was ordered to be engrossed and read the third time tomorrow.

Mr. Carson submitted the following report:

The standing committee on Common Schools and School Lands, to whom was referred H. B. No. 1007—To authorize the Board of Education of Blanchard township, Putnam county, to borrow money and issue bonds for a purpose therein named having had the same under consideration, report, it back, without recommendation.

J. M. CARSON,	H. C. LORD,
G. A. GROVE,	R. G. RICHARDS,
C. F. KRIMMEL,	THOS. M. BEER.

Said bill was ordered to be engrossed and read the third time to-morrow.

Mr. Marsh submitted the following report:

The standing committee on Municipal Corporations, to whom was referred S. B. No. 363—To amend the act of May 14, 1878, entitled an act to amend, revise and consolidate the statutes relating to municipal corporations, to be known as title twelve, part one of the act to revise and consolidate the general statutes of Ohio, (Vol. 75, pp. 161-394)—having had the same under consideration, report it back, with the following amendment, and recommend its passage when so amended:

In line 12, after the word "sell," insert the words "by the manufacturer."

THEO. MARSH,	JAS. B. STEEDMAN,
R. G. RICHARDS,	G. M. SALTZGABER,
G. A. GROVE,	LYMAN J. JACKSON.

Said amendment was agreed to, and the bill was ordered to be engrossed and read the third time to-morrow.

Mr. Krimmel submitted the following report:

The standing committee on Common Schools and School Lands, to whom was referred H. B. No. 1040 - To authorize the Board of Education of New Holland special school district, Pickaway county, to build a school-house and issue bonds therefor—having had the same under consideration, report it back, and recommend its passage.

C. F. KRIMMEL,	R. G. RICHARDS,
J. M. CARSON,	H. C. LORD,
THOS. M. BEER,	D. WAGENER.
G. A. GROVE,	

Said bill was ordered to be engrossed and read the third time to-morrow.

Mr. Tyler submitted the following report:

The standing committee on Corporations other than Municipal, to whom was referred H. B. No. 882—To provide for the re-recording of destroyed and spoliated records—having had the same under consideration, report it back, and recommend its passage.

GEO. P. TYLER,	J. M. ARMSTRONG,
IRVINE DUNGAN,	L. J. JACKSON.

Said bill was ordered to be engrossed and read the third time to-morrow.

Mr. Krimmel submitted the following report:

The standing committee on Benevolent Institutions, to whom was referred S. B. No. 356—To amend section fourteen of an act entitled an act to better provide for the organization, regulation and management of Hospitals for the Insane, passed March 27, 1876, (O. L., Vol. 73, p. 84) -- having had the same under consideration, report it back without recommendation.

C. F. KRIMMEL,	G. A. GROVE,
GEO. P. TYLER,	D. D. BEEBE,
H. W. CURTISS,	B. W. CARLISLE.

Said bill was ordered to be engrossed and read the third time to-morrow.

Mr. Saltzgaber submitted the following report:

The committee on Salaries and Fees of Public Officers, to whom was

referred amended H. B. No. 6 - Limiting the compensation of certain officers therein named—having had the same under consideration, report it back, and recommend its indefinite postponement, for the reason that its provisions have been acted upon in the revision of the laws.

G. M. SALTZGABER,

JOHN SEITZ,

H. SABINE,

THEO. MARSH.

J. H. BENSON,

Said report was agreed to.

Mr. Wagener moved that S. B. No. 350 be taken from the table.

Which was agreed to.

Pending the consideration of which, on motion of Mr. Sherrick, the Senate took a recess.

THREE O'CLOCK P.M.

When the Senate took a recess, it had under consideration S. B. No. 350, the question being on its passage.

Leave of absence was obtained for Mr. Beebe for this afternoon.

On demand of Mr. Joy, a call of the Senate was had.

Twenty-seven Senators answered to their names.

Messrs. Beer, Dungan, Fisher, Irvine, Sherrick, Steedman and Wilson were absent.

Mr. Joy moved that the Sergeant-at-Arms be dispatched for absentees.

Which was agreed to.

Mr. Beebe having appeared within the bar of the Senate, and answered to his name—

On motion of Mr. Joy, further proceedings under the call were dispensed with.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 15, nays 10, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Benson, Carlisle, Grove, Joy, Krimmel, Lord, McDonald, Owens, Parker, Saltzgaber, Steedman, Stokes, Wagener and Williams—15.

Those who voted in the negative were—

Messrs. Beer, Fisher, Forrest, Howland, Jackson of Perry, Johnston, Kelley, Richards, Sabine and Seitz 10.

So the bill, having failed to receive a constitutional majority, was lost.

Mr. Grove moved to take from the table H. B. No. 596.

Which was agreed to.

The question being on agreeing to Mr. Owens' motion, to refer the bill to a select committee of one with instructions to amend—

Mr. Grove moved to amend said instructions as follows: strike out "two-thirds", and insert "three-fifths."

On which motion the yeas and nays were demanded, taken, and resulted—yeas 12, nays 13, as follow:

Those who voted in the affirmative were—

Messrs. Benson, Carlisle, Forrest, Grove, Howland, Jackson of Perry, Krimmel, Lord, McDonald, Parker, Steedman and Tyler—12.

Those who voted in the negative were—

Messrs. Beer, Carson, Curtiss, Fisher, Jackson of Clinton, Kelley, Marsh, Owens, Richards, Sabine, Saltzgaber, Seitz and Stokes—13.

So the motion was disagreed to.

The question recurring on Mr. Owens' motion to refer with instructions, the yeas and nays were demanded, taken, and resulted—yeas 14, nays 10, as follow :

Those who voted in the affirmative were—

Messrs. Beer, Carlisle, Carson, Curtiss, Fisher, Howland, Kelley, Marsh, Owens, Richards, Sabine, Saltzgaber, Seitz and Stokes—14.

Those who voted in the negative were—

Messrs. Forrest, Grove, Jackson of Perry, Johnston, Krimmel, Lord, McDonald, Parker, Steedman and Tyler—10.

So the motion was agreed to, and Mr. Owens was appointed such committee, and reported the bill back amended as instructed.

Mr. Steedman moved to refer the bill to a select committee of one, with instructions to amend as follows :

Strike out of lines 3 and 4, in section 2, the words "a special or general", and insert the word "any".

Which was disagreed to.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted - yeas 16, nays 5, as follow :

Those who voted in the affirmative were—

Messrs. Benson, Carlisle, Forrest, Grove, Howland, Jackson of Clinton, Jackson of Perry, Krimmel, Lord, Marsh, Parker, Saltzgaber, Seitz, Steedman, Stokes and Tyler—16.

Those who voted in the negative were—

Messrs. Johnston, Kelley, Owens, Richards and Sabine—5.

So the bill, having failed to receive a constitutional majority, was lost.

Mr. Owens offered the following resolution, which was adopted :

S. R. No. 98: *Resolved*, That the Commission to revise and consolidate the laws of Ohio, be requested forthwith to report to the Senate by what time they can complete the foot-notes and decisions, and provide the index for the codified laws, under the law creating the Commission (O. L., Vol. 72, pp. 87 and 88).

Mr. Fisher submitted the following report :

The Conference committee of the two Houses, to whom was referred the matters of difference between the two Houses on H. B. No. 982—Making appropriations for the fiscal year 1879, and the first quarter of 1880—having had the same under consideration, recommend :

That the House concur in Senate amendments Nos. 1, 4, 11, 16, 18, 19, 20, 21 and 23.

That the Senate recede from amendments Nos. 5, 6, 7, 8, 9, 10, 14 and 17.

That No. 2 be so amended as to read as follows: "Contingent expenses, payable upon vouchers approved by the auditor and filed in his office, three hundred dollars."

That No. 3 be so amended as to strike out "one hundred," and insert: "two hundred and forty."

That No. 12 be so amended as to strike out "one hundred dollars," and insert: "fifty dollars."

That No. 13 be so amended as to strike out "nine hundred," and insert: "five hundred."

That No. 15 be so amended as to strike out "five," and insert "three."

That No. 22 be so amended as to insert before the word "superintendent," the words "secretary of state, treasurer of state and."

That No. 24 be so amended as to insert before the word "February," the words "to and including."

J. C. FISHER,
J. SHERRICK,
THOS. M. BEER,

Committee on part of the Senate.

ROSS J. ALEXANDER,
P. HITCHCOCK,
J. W. BULL,

Committee on part of the House.

The question being on agreeing to the report of the committee, the yeas and nays were ordered, taken, and resulted—yeas 26, nays none, as follow :

Those who voted in the affirmative were—

Messrs. Beer, Carlisle, Carson, Curtiss, Fisher, Forrest, Grove, Howland, Jackson of Clinton, Jackson of Perry, Johnston, Joy, Kelley, Krimmel, Lord, Marsh, McDonald, Owens, Parker, Richards, Sabine, Saltzgaber, Seitz, Steedman, Stokes and Tyler—26.

So said report was agreed to.

Mr. Johnston moved that H. B. No. 794 be taken from the table.

Which was agreed to.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 23, nays 1, as follow :

Those who voted in the affirmative were—

Messrs. Beer, Benson, Carlisle, Curtiss, Forrest, Howland, Jackson of Clinton, Jackson of Perry, Johnston, Joy, Kelley, Krimmel, Lord, Marsh, McDonald, Owens, Parker, Richards, Sabine, Seitz, Steedman, Stokes and Tyler—23.

Mr. Saltzgaber voted in the negative.

So the bill passed. The title was agreed to.

Mr. Forrest submitted the following report:

The standing committee on Judiciary, to whom was referred S. R. No. 97—Requesting the opinion of the Attorney-general—having had the same under consideration, report it back, and recommend its indefinite postponement.

W. T. FORREST,	W. P. HOWLAND,
D. WAGENER,	LYMAN J. JACKSON,
G. M. SALTZGABER,	J. R. JOHNSTON.

Said report was agreed to.

Mr. Forrest submitted the following report :

The standing committee on Judiciary, to whom was referred House amendments to S. B. No. 295, having had the same under consideration, report it back, and recommend that the Senate disagree to the first amendment of the House, and recommend that the Senate concur in the adoption of the second amendment.

W. T. FORREST,	J. R. JOHNSTON,
W. P. HOWLAND,	L. J. JACKSON.

On motion of Mr. Howland, said bill and report was laid on the table.

Mr. Forrest submitted the following report :

The standing committee on Judiciary, to whom was referred S. B. No. 368—Amendatory to an act passed March 3, A.D. 1879, to change the time of holding a district court in Logan county, in the first sub-division

of the third district of Ohio—having had the same under consideration, report it back, and recommend its passage.

W. T. FORREST, G. M. SALTZGABER,
W. P. HOWLAND, J. R. JOHNSTON.
LYMAN J. JACKSON,

Said bill was ordered to be engrossed and read the third time tomorrow.

Mr. Forrest submitted the following report:

The standing committee on Judiciary, to whom was referred H. B. No. 833—To amend the act of May 7, 1878, entitled an act to revise and consolidate the laws relating to procedure in the Probate Court, (75 Vol., p. 836)—having had the same under consideration, report it back, and recommend its passage.

W. T. FORREST, W. P. HOWLAND,
G. M. SALTZGABER, L. J. JACKSON.
J. R. JOHNSTON,

Said bill was ordered to be engrossed and read the third time tomorrow.

Mr. Saltzgaber submitted the following report:

The standing committee on Judiciary, to whom was referred H. B. No. 662 To amend section five, of chapter one of an act entitled an act to revise and consolidate the laws relating to procedure in the Probate Court, (75 Vol., p. 839)—having had the same under consideration, report it back, and recommend its passage.

G. M. SALTZGABER, L. J. JACKSON,
W. T. FORREST, W. P. HOWLAND,
J. R. JOHNSTON, D. WAGENER.

Said bill was ordered to be engrossed and read the third time tomorrow.

Mr. Saltzgaber submitted the following report:

The standing committee on Judiciary, to whom was referred Substitute for H. B. No. 683—Supplementary to an act entitled an act to revise and consolidate the laws relating to procedure in the Probate Court, passed May 7, 1878, and took effect September 1, 1878—having had the same under consideration, report it back, and recommend its indefinite postponement.

W. T. FORREST, LYMAN J. JACKSON,
W. P. HOWLAND, G. M. SALTZGABER,
J. R. JOHNSTON, D. WAGENER.

Said report was agreed to.

Mr. Lord submitted the following report:

The standing committee on Privileges and Elections, to whom was referred H. B. No. 938—To create two election precincts in the township of Clay, Montgomery county—having had the same under consideration, report it back, and recommend its passage.

H. C. LORD, G. M. SALTZGABER,
J. R. JOHNSTON, R. G. RICHARDS,
C. F. KRIMMEL, LYMAN J. JACKSON.

Said bill was ordered to be engrossed and read the third time tomorrow.

Mr. Lord submitted the following report:

The standing committee on Privileges and Elections, to whom was

referred H. B. No. 911—To divide Gratis township, Preble county, into two voting precincts—having had the same under consideration, report it back, and recommend its passage.

H. C. LORD,	J. R. JOHNSTON,
G. M. SALTZGABER,	R. G. RICHARDS,
L. J. JACKSON,	C. F. KRIMMEL.

Said bill was ordered to be engrossed and read the third time to-morrow.

Mr. Johnston submitted the following report:

The standing committee on Judiciary, to whom was referred H. B. No. 860—To amend section one, chapter three, division four of an act entitled an act to amend, revise and consolidate the statutes relating to municipal corporations, to be known as title twelve, part one of the act to revise and consolidate the general statutes of Ohio—having had the same under consideration, report it back, and recommend its passage.

W. T. FORREST,	G. M. SALTZGABER,
W. P. HOWLAND,	LYMAN J. JACKSON.
J. R. JOHNSTON,	

Said bill was ordered to be engrossed and read the third time to-morrow.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has agreed to the report of the committee of Conference on—

H. B. No. 982—Mr. Alexander—Making appropriations for the fiscal year 1879, and the first quarter of the fiscal year 1880.

Attest:

L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has agreed to Senate amendments Nos. 3, 4, 7, 8, 9, 10, 11, 12 and 15 to—

H. B. No. 837—Mr. Swaim—To revise, amend and consolidate the statutes relating to police regulations, and has disagreed to Nos. 1, 2, 5, 6, 13, 14, 16 and 17.

Attest:

L. A. BRUNNER, *Clerk.*

Mr. Richards moved that the Senate insist on its amendments to said bill, and that a committee of Conference be requested thereon.

Which was agreed to.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has appointed Messrs. Williams, Bohl and Covert a special committee on part of the House, in accordance with—

Substitute for H. J. R. No. 123—Mr. Hitchcock—Providing for a joint committee to meet the Governor of Indiana.

Attest:

L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bills, in which the concurrence of the Senate is requested:

H. B. No. 17—Mr. Perkins—To provide for the purchase of books for the use of common schools.

H. B. No. 1031—Mr. Herrick—To authorize the Treasurer of Lorain county, Ohio, to deposit funds of the county in the banks of the county during the re-building of the Court-house.

Attest:

L. A. BRUNNER, *Clerk.*

Said bills were read the first time.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has agreed to the discharge of the committee of Conference from the further consideration of—

H. B. No. 610—Mr. Van Cleaf—Revising the statutes relating to the executive department—and requests the appointment of another committee of Conference.

Attest:

L. A. BRUNNER, *Clerk.*

Mr. Forrest moved that the request of the House be acceded to.

Which was agreed to, and the President appointed Messrs. Forrest, Stokes and Kelley as such committee on part of the Senate.

Mr. Jackson of Perry submitted the following report:

The standing committee on Military Affairs, to whom was referred H. B. No. 597—To enable soldiers and marines of the Union Army Monumental Associations to record the names of the fallen soldiers and marines of the Union army—having had the same under consideration, report it back, and recommend its passage.

LYMAN J. JACKSON,	GEO. P. TYLER,
G. M. SALTZGABER,	J. M. CARSON.
D. Joy,	

Said bill was ordered to be engrossed and read the third time to-morrow.

Mr. Forrest moved that the vote whereby S. B. No. 350 was lost be reconsidered.

Which was agreed to.

On motion of Mr. Forrest, said bill was laid on the table.

On motion of Mr. Beer, the Senate adjourned.

Attest:

ALLEN O. MYERS, *Clerk.*

FRIDAY, May 23, 1879— 10 o'clock A.M.

The Senate met pursuant to adjournment.

Prayer by Rev. T. P. Abell.

The Journal was read and approved.

Mr. Curtiss presented the petition of James S. Bradford and 72 other

citizens of Cleveland, Cuyahoga county, asking for the passage of H. B. No. 1003, abolishing scalpers.

Which was referred to the committee on Railroads, Telegraphs and Turnpikes.

Mr. Curtiss presented the remonstrance of David Morrison and 83 other citizens of Cleveland, Cuyahoga county, against the passage of H. B. No. 1003.

Which was referred to the committee on Railroads, Telegraphs and Turnpikes.

Mr. Jackson of Perry presented the remonstrance of Alexander Grant and 98 other citizens of Muskingum county, against the passage of H. B. No. 1003, to regulate the sale or transfer of railroad tickets.

Which was referred to the committee on Railroads, Telegraphs and Turnpikes.

Mr. Wagener presented the remonstrance of T. J. McGee and 72 other citizens of Belmont county, remonstrating against the passage of H. B. No. 1003, or any other bill restricting the sale of railroad tickets, and asked that it be referred to the committee on Railroads, Telegraphs and Turnpikes.

Mr. Wagener presented the petition of Hon. William Kennon and 174 other citizens of St. Clairsville, Belmont county, praying for the passage of H. B. No. 1021, by Mr. Alexander, authorizing certain villages to build railroads, and to lease or operate the same.

Which was referred to the committee on Railroads, Telegraphs and Turnpikes.

Mr. Stokes presented the remonstrance of W. P. Cahill and 64 other citizens of Hamilton, Butler county, against the passage of H. B. No. 1003, or any other bill restricting the sale of railroad tickets by responsible parties, and asked its reference to the committee on Railroads, Telegraphs and Turnpikes.

Mr. Grove presented the remonstrance of John M. Spriggs and 180 other citizens of the city of Dayton, against the passage of H. B. No. 1003, and asked that it be referred to the committee on Railroads, Telegraphs and Turnpikes.

Mr. Seitz presented the remonstrance of A. L. Flack and 46 other citizens of Tiffin, Seneca county, against the passage of H. B. No. 1003, or any other bill having a similar object, and asked that it be referred to the committee on Railroads, Telegraphs and Turnpikes.

Mr. Lord presented the remonstrance of Pratt & Brook and 321 other citizens of Hamilton county, against the passage of H. B. No. 1003.

Which was referred to the committee on Railroads, Telegraphs and Turnpikes.

Bills were read the second time and referred, as follows :

H. B. No. 1031—To authorize the Treasurer of Lorain county to deposit funds of the county in banks of the county during the re-building of the Court-house.

Committee on Finance.

H. B. No. 17—To provide for the purchase of books for the use of common schools.

Committee on Common Schools and School Lands.

H. B. No. 925—Mr. Carpenter—To authorize the establishing of a Children's Home in Meigs county—was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 23, nays 1, as follow :

Those who voted in the affirmative were—

Messrs. Carlisle, Carson, Curtiss, Fisher, Grove, Howland, Jackson of Clinton, Jackson of Perry, Johnston, Kelley, Krimmel, Lord, Marsh, McDonald, Owens, Parker, Sabine, Saltzgaber, Seitz, Steedman, Stokes, Tyler and Williams—23.

Mr. Wagener voted in the negative.

So the bill passed. The title was agreed to.

H. B. No. 1039—Mr. Dunham—To authorize the Directors of special school district No. 3, of Woodville township, Sandusky county, Ohio, to transfer certain funds named therein—was read the third time.

The question being “Shall the bill pass?” the yeas and nays were taken, and resulted—yeas 21, nays none, as follow :

Those who voted in the affirmative were—

Messrs. Carson, Curtiss, Fisher, Grove, Howland, Jackson of Clinton, Jackson of Perry, Johnston, Kelley, Krimmel, Lord, Marsh, McDonald, Parker, Sabine, Saltzgaber, Seitz, Steedman, Stokes, Tyler and Wagener—21.

So the bill passed. The title was agreed to.

H. B. No. 1038—Mr. Ellis—To authorize the Board of Education of Clay township, Ottawa county, to transfer funds—was read the third time.

The question being “Shall the bill pass?” the yeas and nays were taken, and resulted—yeas 27, nays none, as follow :

Those who voted in the affirmative were—

Messrs. Beer, Carlisle, Carson, Curtiss, Fisher, Forrest, Grove, Howland, Jackson of Clinton, Jackson of Perry, Johnston, Joy, Kelley, Krimmel, Lord, Marsh, McDonald, Owens, Parker, Richards, Sabine, Saltzgaber, Seitz, Steedman, Stokes, Tyler and Wagener—27.

So the bill passed. The title was agreed to.

H. B. No. 1010—Mr. Palmer—To authorize the Trustees and Board of education of Strongsville township, Cuyahoga county, Ohio, to levy a tax to build a school-house and town-hall—was read the third time.

The question being “Shall the bill pass?” the yeas and nays were taken, and resulted—yeas 24, nays none, as follow :

Those who voted in the affirmative were—

Messrs. Beer, Carlisle, Carson, Curtiss, Fisher, Forrest, Grove, Howland, Jackson of Clinton, Jackson of Perry, Johnston, Kelley, Krimmel, Lord, Marsh, McDonald, Owens, Parker, Sabine, Saltzgaber, Seitz, Steedman, Stokes and Tyler—24.

So the bill passed. The title was agreed to.

H. B. No. 1006—Mr. Dow—To authorize the Council of the village of Bellefontaine, Ohio, to transfer funds—was read the third time.

The question being “Shall the bill pass?” the yeas and nays were taken, and resulted—yeas 23, nays none, as follow :

Those who voted in the affirmative were—

Messrs. Beer, Carlisle, Carson, Curtiss, Fisher, Forrest, Grove, Howland, Jackson of Clinton, Jackson of Perry, Krimmel, Lord, Marsh, McDonald, Owens, Parker, Richards, Sabine, Saltzgaber, Seitz, Steedman, Stokes and Tyler—23.

So the bill passed. The title was agreed to.

H. B. No. 1029—Mr. Sawyer—To authorize the Council of the village of St. Mary's, Ohio, to transfer certain funds mentioned therein—was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 24, nays none, as follow :

Those who voted in the affirmative were—

Messrs. Beer, Carlisle, Carson, Curtiss, Fisher, Forrest, Grove, Jackson of Clinton, Jackson of Perry, Johnston, Kelley, Krimmel, Lord, Marsh, McDonald, Owens, Parker, Richards, Sabine, Saltzgaber, Seitz, Steedman, Stokes and Tyler—24.

So the bill passed. The title was agreed to.

H. B. No. 971—Mr. Luccock—To authorize the Trustees of Spencer township, Guernsey county, to transfer certain funds named therein—was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 23, nays none, as follow :

Those who voted in the affirmative were—

Messrs. Beer, Carlisle, Carson, Curtiss, Fisher, Howland, Jackson of Clinton, Jackson of Perry, Johnston, Joy, Kelley, Krimmel, Lord, Marsh, McDonald, Owens, Parker, Richards, Saltzgaber, Seitz, Steedman, Stokes and Tyler—23.

So the bill passed. The title was agreed to.

H. B. No. 978—Mr. Greene—Relating to the improvement of City Hall of Xenia, Greene county, Ohio—was read the third time.

Mr. Steedman moved to refer the bill to a select committee of one, with instructions to amend as follows :

Strike out the word "majority", in line 8, section 4, and insert in lieu thereof the words "two-thirds."

Pending which, on motion of Mr. Howland, the Senate took a recess for ten minutes, to greet Governor Williams and other State officials of Indiana, who appeared upon the floor of the Senate.

When the Senate was called to order, the question recurred on Mr. Steedman's motion to refer, with instructions.

Pending which, Mr. Marsh moved that the Senate take a recess.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 12, nays 14, as follow :

Those who voted in the affirmative were—

Messrs. Beer, Benson, Curtiss, Howland, Jackson of Clinton, Johnston, Kelley, Krimmel, Marsh, Owens, Richards and Sabine—12.

Those who voted in the negative were—

Messrs. Carlisle, Carson, Fisher, Forrest, Grove, Jackson of Perry, Joy, Lord, Parker, Saltzgaber, Seitz, Steedman, Stokes and Tyler—14.

So the motion was disagreed to.

Mr. Joy moved that the Senate take a recess until 2 o'clock P.M.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 10, nays 17, as follow :

Those who voted in the affirmative were—

Messrs. Carlisle, Carson, Fisher, Forrest, Grove, Joy, Marsh, McDonald, Parker and Saltzgaber—10.

Those who voted in the negative were—

Messrs. Beer, Benson, Curtiss, Howland, Jackson of Clinton, Jackson of Perry, Johnston, Kelley, Krimmel, Lord, Owens, Richards, Sabine, Seitz, Steedman, Stokes and Tyler—17.

So the motion was disagreed to.

Mr. Beer moved that the Senate take a recess.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 15, nays 10, as follow :

Those who voted in the affirmative were --

Messrs. Beer, Carlisle, Curtiss, Howland, Jackson of Perry, Johnston, Kelley, Krimmel, Lord, Marsh, McDonald, Owens, Richards, Sabine and Steedman—15.

Those who voted in the negative were -

Messrs. Benson, Carson, Fisher, Forrest, Grove, Joy, Parker, Saltzgaber, Stokes and Tyler - 10.

So the motion was agreed to, and the Senate took a recess.

THREE O'CLOCK P.M.

When the Senate took a recess, it had under consideration H. B. No. 978, the pending question being on Mr. Steedman's motion to refer said bill to a select committee. with instructions to amend.

Mr. Johnston moved that said bill be laid on the table.

Which was agreed to.

Mr. Johnston moved that H. B. No. 978 be taken from the table.

Which was agreed to.

The question being on Mr. Steedman's motion to refer said bill to a select committee of one, with instructions to amend—

Mr. Steedman, by leave, withdrew said amendment.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 20, nays 4, as follow :

Those who voted in the affirmative were—

Messrs. Beer, Carlisle, Carson, Curtiss, Howland, Jackson of Clinton, Jackson of Perry, Johnston, Joy, Kelley, Krimmel, Lord, McDonald, Owens, Richards, Sabine, Saltzgaber, Steedman, Stokes and Tyler—20.

Those who voted in the negative were—

Messrs. Fisher, Marsh, Parker and Seitz—4.

So the bill passed. The title was agreed to.

Mr. Saltzgaber submitted the following report :

The committee of Conference, to whom were referred the matters of difference between the two Houses on amended H. B. No. 119, having had the same under consideration, recommend the adoption of the following substitute for Senate amendment No. 2 :

Chapter 2, section 6, line 3, after "clerk," insert: "and in each county in this State containing a city of the first grade of the first class, the sheriff shall provide, at the expense of the county, a sufficient number of ballot-boxes, which shall be so arranged as to stamp each ballot as it is deposited therein with the name of the precinct where voted; and which, as each ballot is deposited therein, shall indicate on a dial, in figures, visible to all present, the total number of stamped ballots in such box; and which shall also indicate the deposit of each ballot by the sounding of a bell; and which shall also be so arranged that two keys and a crank shall be necessary to unlock the box, so as to permit the opening thereof or the deposit of a ballot therein, for use in said county, and cause the same to be deposited with the various township or corporation clerks thereof; and at the closing of the polls the two keys and crank shall be distributed among the judges so that each shall have one. All ballots found in such box that are stamped shall be counted, and no

ballots therein shall be counted unless stamped. But said ballot-boxes shall not cost more than \$25.00 each."

And recommend that the Senate recede from its amendments Nos. 5 and 7.

And as to Senate amendment No. 12, your committee recommend that the House concur, and that the House then concur in the Senate amendments so modified.

G. M. SALTZGABER,
GEO. P. TYLER,
Committee on part of the Senate.
JOS. G. SEXTRO,
H. J. BOOTH,
L. A. PALMER,
Committee on part of the House.

The question being on agreeing to the report of the committee, the yeas and nays were taken, and resulted—yeas 18, nays 6, as follow :

Those who voted in the affirmative were—

Messrs. Beer, Carlisle, Carson, Curtiss, Jackson of Clinton, Jackson of Perry, Joy, Krimmel, Lord, Marsh, McDonald, Owens, Parker, Saltzgaber, Seitz, Steedman, Stokes and Tyler—18.

Those who voted in the negative were—

Messrs. Fisher, Howland, Johnston, Kelley, Richards and Sabine—6.

So the report was agreed to.

Mr. Saltzgaber moved that the vote whereby said report was agreed to be reconsidered.

Which was agreed to.

H. B. No. 976—Mr. Jessup—To authorize the village Council of Cleves, Hamilton county, Ohio, to transfer certain funds—was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 23, nays none, as follow :

Those who voted in the affirmative were—

Messrs. Beer, Carlisle, Carson, Curtiss, Fisher, Howland, Jackson of Clinton, Jackson of Perry, Johnston, Joy, Kelley, Krimmel, Lard, Marsh, McDonald, Owens, Richards, Sabine, Saltzgaber, Seitz, Steedman, Stokes and Tyler—23.

So the bill passed. The title was agreed to.

H. B. No. 1028—Mr. Cowgill—To authorize the Boards of Education of Concord and Mad River townships, Champaign county, Ohio, to issue bonds and levy a tax on said townships, to raise money to purchase a site and erect a school-house thereon—was read the third time.

Mr. Seitz moved to refer the bill to a select committee of one, with instructions to amend as follows :

In section 1, line 14, strike out the word "seven," and insert "six."

Which was agreed to, and Mr. Seitz was appointed such committee, and reported the bill back amended as instructed.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 24, nays none, as follow :

Those who voted in the affirmative were—

Messrs. Beer, Carlisle, Carson, Curtiss, Fisher, Howland, Jackson of Clinton, Jackson of Perry, Johnston, Joy, Kelley, Krimmel, Lord, Marsh, McDonald, Owens, Parker, Richards, Sabine, Saltzgaber, Seitz, Steedman, Stokes and Tyler 24.

So the bill passed. The title was agreed to.

H. B. No. 1007—Mr. Brown of Putnam—To authorize the Board of Education of Blanchard township, Putnam county, to borrow money and issue bonds for a purpose therein named—was read the third time.

On motion of Mr. Steedman, said bill was laid on the table.

H. B. No. 1040—Mr. Van Cleaf—To authorize the Board of Education of Hew Holland special school district, Pickaway county, to build a school-house and issue bonds therefor—was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 23, nays none, as follow :

Those who voted in the affirmative were—

Messrs. Beer, Carlisle, Carson, Curtiss, Fisher, Howland, Jackson of Clinton, Jackson of Perry, Johnston, Joy, Kelley, Krimmel, Lord, Marsh, McDonald, Owens, Parker, Richards, Sabine, Saltzgaber, Steedman, Stokes and Tyler—23.

So the bill passed. The title was agreed to.

H. B. No. 882—Mr. Booth—To provide for the re-recording of destroyed and spoliated records—was read the third time.

Mr. Krimmel moved to refer the bill to a select committee of one, with instructions to amend as follows :

In section 2, line 10. before "officer", insert "recording"; in same line, strike out "three", and insert "five."

Which was agreed to, and Mr. Krimmel was appointed such committee, and reported the bill back amended as instructed.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 22, nays none, as follow :

Those who voted in the affirmative were—

Messrs. Beer, Carlisle, Curtiss, Fisher, Howland, Jackson of Clinton, Jackson of Perry, Johnston, Joy, Krimmel, Lord, Marsh, McDonald, Owens, Parker, Richards, Sabine, Saltzgaber, Seitz, Steedman, Stokes and Tyler—22.

So the bill passed. The title was agreed to.

H. B. No. 833—Mr. Estill—To amend the act of May 7, 1878, entitled an act to revise and consolidate the laws relating to procedure in the Probate Court, (Vol. 75, p. 836)—was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 23, nays none, as follow :

Those who voted in the affirmative were—

Messrs. Beer, Carlisle, Curtiss, Fisher, Howland, Jackson of Clinton, Jackson of Perry, Johnston, Joy, Kelley, Krimmel, Lord, Marsh, McDonald, Owens, Parker, Richards, Sabine, Saltzgaber, Seitz, Steedman, Stokes and Tyler—23.

So the bill passed. The title was agreed to.

H. B. No. 662—Mr. Dalzell—To amend section five, of chapter one of an act entitled an act to revise and consolidate the laws relating to procedure in the Probate Court, (O. L., Vol. 75, p. 839)—was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 22, nays none, as follow :

Those who voted in the affirmative were—

Messrs. Beer, Carlisle, Curtiss, Fisher, Jackson of Clinton, Jackson of Perry, Johnston, Joy, Kelley, Krimmel, Lord, Marsh, McDonald, Owens, Parker, Richards, Sabine, Saltzgaber, Seitz, Steedman, Stokes and Tyler—22.

So the bill passed. The title was agreed to.

On motion of Mr. Seitz, H. B. No. 911 was laid on the table.

On motion of Mr. Seitz, H. B. No. 938 was laid on the table.

S. B. No. 340—Mr. Joy—To amend section ten, of chapter six, division two of an act entitled an act to revise and consolidate the laws relating to civil procedure in Courts of Common Pleas and Superior Courts, in District Courts on appeal, and also the laws relating to procedure in error, mandamus and quo warranto, passed May 14, 1878, (O. L., Vol. 75, pp. 613 and 614)—was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 22, nays none, as follow:

Those who voted in the affirmative were—

Messrs. Beer, Carlisle, Carson, Curtiss, Fisher, Howland, Jackson of Clinton, Jackson of Perry, Johnston, Joy, Kelley, Krimmel, Lord, McDonald, Owens, Parker, Sabine, Saltzgaber, Seitz, Steedman, Stokes and Tyler—22.

So the bill passed. The title was agreed to.

S. B. No. 369—Mr. Beebe—To authorize the Trustees of Portage township, Summit county, to levy additional road tax—was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 23, nays none, as follow:

Those who voted in the affirmative were—

Messrs. Beer, Carlisle, Curtiss, Fisher, Howland, Jackson of Clinton, Jackson of Perry, Johnston, Joy, Kelley, Krimmel, Lord, Marsh, McDonald, Owens, Parker, Richards, Sabine, Saltzgaber, Seitz, Steedman, Stokes and Tyler—23.

So the bill passed. The title was agreed to.

H. B. No. 597—Mr. Bohl—To enable soldiers and marines of the Union Army Monument Association to record the names of the fallen soldiers and marines of the Union army—was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 21, nays 2, as follow:

Those who voted in the affirmative were—

Messrs. Beer, Carlisle, Curtiss, Howland, Jackson of Clinton, Jackson of Perry, Johnston, Joy, Kelley, Krimmel, Lord, Marsh, McDonald, Owens, Parker, Richards, Sabine, Saltzgaber, Steedman, Stokes and Tyler—21.

Messrs. Carson and Fisher voted in the negative.

So the bill passed. The title was agreed to.

H. B. No. 860—Mr. Herrick—To amend section one, chapter three, division four of an act entitled an act to amend, revise and consolidate the statutes relating to municipal corporations, to be known as title twelve, part one of the act to revise and consolidate the general statutes of Ohio—was read the third time.

Mr. Johnston moved that said bill be laid on the table.

Which was agreed to.

S. B. No. 368—Mr. Sabine—Amendatory to an act passed March 3, A. D. 1879, to change the time of holding a district court in Logan county, in the first sub-division of the third district in Ohio—was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 23, nays none, as follow:

Those who voted in the affirmative were—

Messrs. Beer, Carlisle, Carson, Curtiss, Fisher, Howland, Jackson of Perry, Johnston, Joy, Kelley, Krimmel, Lord, Marsh, McDonald, Owens, Parker, Richards, Sabine, Saltzgaber, Seitz, Steedman, Stokes and Tyler—23.

So the bill passed. The title was agreed to.

Mr. Krimmel moved that S. B. No. 246 be laid on the table.

Which was agreed to.

Mr. Marsh moved that S. B. No. 356 be laid on the table.

Which was agreed to.

S. B. No. 363—Mr. Tyler—To amend the act of May 14, 1878, entitled an act to amend, revise and consolidate the statutes relating to municipal corporations, to be known as title twelve, part one of the act to revise and consolidate the general statutes of Ohio, (75 Vol., pp. 161 and 394)—was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 22, nays none, as follow:

Those who voted in the affirmative were—

Messrs. Beer, Carlisle, Carson, Curtiss, Fisher, Howland, Jackson of Clinton, Jackson of Perry, Johnston, Joy, Kelley, Krimmel, Lord, Marsh, McDonald, Owens, Parker, Richards, Sabine, Steedman, Stokes and Tyler—22.

So the bill passed. The title was agreed to.

S. B. No. 276—Mr. Owens—To amend an act entitled an act to regulate the letting of contracts for the doing of public work, and the better protection of mechanics, passed May 5, 1877, (O. L., Vol. 74, p. 186)—was read the third time.

On motion of Mr. Owens, said bill was laid on the table.

S. B. No. 362 Mr. Owens—To authorize the City Council of Newark, Licking county, Ohio, to purchase a steam fire-engine, and to issue bonds to pay for the same—was read the third time.

Mr. Owens moved to refer the bill to a select committee of one, with instructions to amend as follows:

In section 1, strike out all between the word "city", in line 4, and the word "provided", in line 7, and insert the following: "in an amount not exceeding five thousand dollars, to pay for the same, said bonds to be payable at any time within twelve years, and to bear interest at a rate not exceeding six per cent. per annum, payable simi-annually."

Which was agreed to, and Mr. Owens was appointed such committee, and reported the bill back amended as instructed.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 20, nays none, as follow:

Those who voted in the affirmative were—

Messrs. Beer, Carlisle, Carson, Curtiss, Howland, Jackson of Clinton, Jackson of Perry, Johnston, Joy, Kelley, Krimmel, Lord, Marsh, McDonald, Owens, Parker, Richards, Sabine, Stokes and Tyler—20.

So the bill passed. The title was agreed to.

The President laid before the Senate a communication from the Codifying Commission, in reply to certain inquiries made in S. R. No. 98.

Which was referred to the committee on the Judiciary.

Mr. Saltzgaber offered the following joint resolution:

S. J. R. No. 95: WHEREAS, It appears from the Journals of the House and Senate, a mistake was made in engrossing S. B. No. 300, passed

March 12, 1879, now on file in the office of the Secretary of State, and printed on page 33 of the volume of laws of the present session; therefore,

Be it resolved by the General Assembly of the State of Ohio, That the Secretary of State be, and he is hereby requested and authorized to return said act to this General Assembly for the purpose of having the same correctly enrolled; and the Secretary is requested to have changed, if practicable, the print of said act in the annual volume to correspond with the correct enrollment.

The question being on the adoption of said joint resolution, the yeas and nays were taken, and resulted—yeas 22, nays none, as follow:

Those who voted in the affirmative were—

Messrs. Beer, Carlisle, Carson, Curtiss, Fisher, Howland, Jackson of Clinton, Jackson of Perry, Johnston, Joy, Kelley, Marsh, McDonald, Owens, Parker, Richards, Sabine, Saltzgaber, Seitz, Steedman, Stokes and Tyler—22.

So said joint resolution was adopted.

Mr. Owens submitted the following report:

The committee of Conference, to whom was referred the matters of difference between the two Houses on H. B. No. 610, having had the same under consideration, and being unable to agree, ask to be discharged from further consideration thereof.

JAMES W. OWENS,
H. W. CURTISS,
J. C. FISHER,

Committee on part of the Senate.

A. R. VAN CLEAF,
A. J. SWAIM.
J. F. OGLEVEE,

Committee on part of the House.

Said report was agreed to.

Mr. Johnston submitted the following report:

The joint committee on Enrollment has examined, and found correctly enrolled, the following bills:

H. B. No. 844—To amend the act of May 7, 1878, entitled an act to revise and consolidate the laws relating to procedure in the Probate Court, (Vol. 75, p. 836.)

H. B. No. 880 --To amend section fourteen, chapter nine of an act entitled an act to revise and consolidate the laws relating to procedure in the Probate Court, (O. L., Vol. 75, p. 960).

H. B. No. 867--To change certain specified times fixed for holding Court of Common Pleas in the counties of Hardin and Logan, for the year A. D. 1879.

H. B. No. 955—To authorize the Commissioners of Hocking county to appropriate money to construct and maintain a certain bridge.

H. B. No. 681—To amend the act of May 14, 1878, entitled an act to revise and consolidate the laws relating to civil procedure in Courts of Common Pleas and Superior Courts, in District Courts on appeal, and also the laws relating to procedure in error, mandamus and quo warranto, (Vol. 75, O. L., pp. 597-641.)

Friday, May 23, 1879.

H. B. No. 982—Making appropriations for the fiscal year 1879, and the first quarter of the fiscal year 1880.

C. F. KRIMMEL,	E. S. PERKINS,
R. G. RICHARDS,	F. M. CARTER,
J. R. JOHNSTON,	A. D. MARSH,
J. W. WASHBURN,	WM. JESSUP.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The Speaker of the House of Representatives has, in the presence of the House, signed the following bills:

H. B. No. 681—Mr. Wright—To amend the act of May 14, 1878, entitled an act to revise and consolidate the laws relating to civil procedure in Courts of Common Pleas and Superior Courts, in District Courts on appeal, and also the laws relating to procedure in error, mandamus and quo warranto, (Vol. 75, O. L., pp. 597-641).

H. B. No. 955—Mr. Wolf—To authorize the Commissioners of Hocking county to appropriate money to construct and maintain a certain bridge.

H. B. No. 867—Mr. Dow—To change certain specified times fixed for holding Court of Common Pleas in the counties of Hardin and Logan, for the year A. D. 1879.

H. B. No. 880—Mr. Leggett—To amend section 14, chapter nine of an act entitled an act to revise and consolidate the laws relating to procedure in the Probate Court, (O. L., Vol. 75, p. 960).

H. B. No. 844—Mr. Perkins—To amend the act of May 7, 1878, entitled an act to revise and consolidate the laws relating to procedure in the Probate Court, (75 Vol., 836).

H. B. No. 982—Mr. Alexander—Making appropriations for the fiscal year 1879, and the first quarter of the fiscal year 1880.

Attest :

L. A. BRUNNER, *Clerk.*

The President, in presence of the Senate, signed said bills.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The House of Representatives has concurred in the adoption of the following joint resolution :

S. J. R. No. 94—Mr. Saltzgaber—Allowing the surviving members of the 46th O. V. I. to have the temporary use of certain flags.

Attest :

L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The House of Representatives has indefinitely postponed the following joint resolution :

S. J. R. No. 66—Mr. Owens—Providing for an amendment to the Constitution of Ohio.

Attest :

L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has appointed Messrs. Norton, Dodds and Palmer as a second committee of Conference, to consider the differences existing between the two Houses on H. B. No. 610, by Mr. Van Cleaf.

Attest:

L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives accedes to the request of the Senate, and has appointed Messrs. Swaim, Bull and Hitchcock a committee of Conference on the part of the House, to consider the differences existing between the two Houses on H. B. No. 837, by Mr. Swaim.

Attest:

L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has agreed to the report of the committee of Conference on H. B. No. 715, by Mr. Bohl.

Attest:

L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The following bill has been introduced in the House of Representatives, and read the first time:

H. B. No. 1054—Mr. Morrey To authorize the village of McConnellsville to transfer funds.

Attest:

L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has agreed to the report of the committee of Conference on

Amended H. B. No. 119—Mr. Swaim—Revising and consolidating the statutes relating to elections.

Attest:

L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has concurred in the passage of the following bills:

S. B. No. 360—Mr. Beer—For the relief of Arcus Rumfield.

S. B. No. 355—Mr. Parker—To divide the township of New Haven, county of Huron, into election precincts.

S. B. No. 371—Mr. Carson—To authorize the town Council of the village of Huntsville, Miami county, to issue bonds of said village to supply said village with water.

S. B. No. 364—Mr. Curtiss—To authorize the Trustees of Independence township, Cuyahoga county, to borrow money to meet the indebtedness of the poor fund of said township.

Attest:

L. A. BRUNNER, *Clerk*.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bills, in which the concurrence of the Senate is requested:

H. B. No. 1053—Mr. Wasson—To authorize the Trustees of Mound Hill Cemetery to use a portion of the funds of said cemetery to improve a road leading to the same.

H. B. No. 1054—Mr. Morrey—To authorize the village of McConnellsville to transfer funds.

H. B. No. 443—Mr. Wolf—To authorize the election of an additional Judge of the Court of Common Pleas in the first sub-division of the seventh judicial district of the State of Ohio.

H. B. No. 1047—Mr. Crosson—To authorize the village of Batavia, Ohio, to transfer certain funds of said incorporated village to the building fund of said village.

H. B. No. 1043—Mr. Hayman—To authorize the transfer, by the City Council of the city of Portsmouth, Scioto county, Ohio, of certain funds herein named.

H. B. No. 625—Mr. Swaim—Supplementary to an act entitled an act defining the powers and duties of the Board of Public Works, passed May 14, 1878.

H. B. No. 732—Mr. Stubbs—To amend section eleven, of chapter five, title thirteen, taxation, (O. L., Vol. 75, p 478).

Attest:

L. A. BRUNNER, *Clerk*.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has concurred in the passage of the following bill:

S. B. No. 271—Mr. Lord—To revise and consolidate the laws relating to private corporations—with the following amendments, in which the concurrence of the Senate is requested:

1. Page 3, strike out section 4, and insert:

SEC. 4. Corporations may be formed in the manner provided in this chapter for any purpose for which individuals may lawfully associate themselves, except for dealing in real estate or carrying on professional business; and if the organization is for profit, it must have a capital stock.

2. Page 5, section 13, strike out all of the section after the word "certifying," in line 4 from the end of the section.

4. Page 11, section 36, in line 6, strike out the word "ten," and insert the word "six."

5. Page 12, strike out section 39 $\frac{1}{2}$.

6. Page 15, section 1, in line 2, between the words "may" and "construct," insert the words "maintain and operate or."

7. Page 5, in section 14, line 4, strike out the words "one vote," and insert the words "as many votes as there are directors to be elected."

8. Page 19, section 9, strike out all of the section after the word "constructed," in line 6 from the top of the page.

9. Page 20, section 14, second line from end of section, after the word "road," insert: "in the manner and upon the same terms as is provided for the appropriation of the property of individuals."

10. Page 21, section 14, in line 1, after the word "private," insert: "or public."

11. Page 23, section 21, in line 8, after "prices," insert: "at not less than seventy-five cents on the dollar."

12. Page 25, section 28, strike out the words "section twenty-three," and insert: "said sections."

13. Page 28, section 37, line 5, insert after "notice": "published for four consecutive weeks."

14. Page 30, section 40, line 5, strike out "eight," and insert "six."

15. Page 31, section 45, line 6, after the word "act," insert: "done without his concurrence."

16. Page 32, section 47, in line 5, strike out "sixty," and insert "fifty."

17. Page 34, section 51, line 8, after "twenty," insert "five."

18. Page 36, section 55, line 5 from top of page, after "and," insert: "before operating such road;" and in last line of section, strike out "crossings and cattle-guards."

19. Page 39, between sections 62 and 63, insert the following:

SEC. 62 $\frac{1}{2}$. Any owner of land, through which a railroad is constructed, and upon which there is a culvert, water-way, or opening through the embankment of the railroad of sufficient height for such purpose, may use such culvert, water-way, or opening, for the purpose of a stock or cattle-way, under the track of the road, so as to permit stock to pass and repass; but the landowner shall build and maintain all necessary fences on both sides of said opening, and shall not, by use, or otherwise, permit the foundations of any structures about such opening to be injured or interfered with.

20. Page 63, section 123, line 10, strike out "seven," and insert "six."

21. Page 77, section 162, in line 3 from top of page, strike out the word "three," and insert the word "two."

22. Page 77, section 164, add at the end of the section the following: "And after said grant or renewal of any grant shall have been made, whether by general or special ordinance, or by order of the county commissioners, neither the municipal corporation nor the county commissioners shall change, alter, or modify the terms of said grant or renewal of a grant, during the term for which said grant or renewal shall have been made."

23. Page 77, section 165, in line 3, strike out the words "of a majority."

24. Page 89, section 16, in line 9, between the words "the" and "expense," insert the word "reasonable."

25. Page 89, at the end of chapter 4, add:

SEC. 18. The provisions of this chapter shall apply also to any com-

pany organized to construct any line or lines of telephones, and every such company shall have the same powers and be subject to the same restrictions as are herein prescribed for magnetic telegraph companies."

26. Page 93, section 7, in lines 1, 2 and 3, strike out the following words: "the termini of whose road are less than five miles apart, when it has completed its road and any other company;" and in line 4 strike out the word "five," and insert "three."

28. Page 96, section 12, in line five from end of section, strike out all after the word "collect" to and including the word "road," in line 2 from end of section, and insert: "the costs of such improvement or repairs."

29. Page 97, section 14, after the word "successively," in line 3, insert: "or fail to build or rebuild any of the bridges or culverts across any or all of the streams crossing its road, for a period of six months"; in same section, line 17, after the word "place," insert: "or bridge"; and in line 28, same section, after the word "road," insert: "or bridge."

30. Page 103, after section twenty-eight, add the following:

SEC. 29. The board of directors of any company, when authorized so to do by a vote of the holders of a majority of the stock of the company represented at a meeting of the stockholders called for that purpose by either of the board of directors, or ten stockholders of the company, of which meeting at least twenty days' public notice has been given by advertisement in not more than two newspapers published in the county where such road or parts of roads are situate, shall sell and convey the whole or any part of its road to the commissioners of the county, together with all rights and privileges appertaining thereto, which sale or relinquishment shall be evidenced by a written deed of conveyance, under the seal of such company, signed by the president or other principal officer of such company, and the secretary or other recording officer thereof, which shall, before it shall have any validity or effect, be recorded in the official records of deeds of each county within which the road or any part thereof which has been so sold and conveyed lies, or be left for record in the office containing such official records.

SEC. 30. In any county where, heretofore or hereafter, an affirmative vote has or may be given at any general election, in favor of purchasing any or all of the toll-roads or parts of roads lying within their respective counties, at a price to be fixed by three disinterested appraisers, who shall be appointed as follows: One by the court of common pleas of the county or a judge of said court resident of the subdivision in which the county is situate; one by the probate judge of the county, and one by the company. Said appraisers, after being sworn faithfully and honestly to discharge their duties in that behalf, shall personally inspect the road or roads, or parts of roads, so far as the same are within their county, and make and return, in writing, to the commissioners, a valuation of each of the roads or parts of roads, and if the commissioners, from any cause, fail to purchase any such road or part thereof, other appraisers may be appointed in the same manner as the first.

SEC. 31. If the report is satisfactory, and the commissioners, or a majority of them, endorse their approval thereon as to all or any of the roads, or parts of roads, they shall cause an entry to be made to that effect on their journal and thereupon they may purchase the same at a price not exceeding such appraisal, and pay such company or companies, in money or in bonds to be issued as hereinafter specified, and thereupon such roads or parts of roads so purchased shall cease to be toll-roads

and become free roads, to be kept in repair in the manner prescribed in chapter 10, title 7, part 2.

SEC. 32. For the purpose of paying for said roads, or parts of roads, and for refunding assessments as hereinafter provided, said commissioners shall issue bonds, payable at such times and in such amounts as will be, as near as practicable, equal to the semi-annual collection of taxes levied for that purpose, which bonds shall bear interest not exceeding six per centum, payable semi-annually, which bonds may be delivered to said companies in payment for said roads, or parts of roads, or sold for money at not less than their par value; but none of said bonds shall run more than eight years from date; and for the payment of said bonds, said commissioners are authorized and required to levy, annually, on the taxable property of said counties, in addition to the taxes they are otherwise authorized to levy, such sum annually as will fully pay said bonds and the interest thereon, and for refunding said assessments: provided, however, that all persons residents of said counties, who have paid or shall pay any assessment for the construction of any roads under the act of March 29, 1867, or the acts amendatory thereof or supplementary thereto, which road has not been converted into a toll-road, and who are required to pay the tax levied for such purpose or any part thereof, shall be entitled to have repaid to them out of any tax they are required to pay for said purchase, the amount of said assessment so paid by them, which repayment shall in no instance exceed the amount of said tax they shall have so paid; and, for the purpose of adjusting this refunding of taxes, the auditors of said counties shall prepare a book of all such assessments paid in the counties, in which shall be noted all amounts so refunded, and in no instance shall a greater amount be refunded to any person than the assessment paid by him, and no tax shall be refunded but on the order of the auditor; and provided, further, that all persons who shall demand or accept the refunding of the assessments paid by them, or any part thereof, shall thereby release all right to have the road or roads to the construction of which they have contributed, to be converted into toll-road or roads, and in any attempt to convert such road or roads into toll-road or roads, the names of such persons and the assessments by them contributed shall be counted against the conversion of such road or roads into toll-roads.

31. SEC. 33. The said appraisers shall be paid by the county, upon the allowance of the commissioners, three dollars per day and their necessary expenses, for the time actually employed in the business of their appointment; and the county auditor and county treasurer, for their services under the preceding section, shall be entitled to one-half of the lowest rate of fees now allowed to them by law for like services.

SEC. 34. The sale by any company owning a toll-road of such part of said road as lies within any county, shall not affect their organization or right as to such part or parts of their road as may be situate outside of said county.

32. Page 10:

SEC. 32. A stockholder or creditor may enforce such liability by action jointly against all the holders or owners of stock, which action shall be for the benefit of all the creditors of the corporation, and against all persons liable as stockholders.

33. Page 77, chapter 2, section 164, lines 3 and 4 from the end of section, strike out the words, "change, alter, or modify," and insert in lieu

thereof the following: "release the grantee from any obligations or liabilities imposed by."

34. Page 159, strike out the third sub-division of section 10, chapter 11, and change sub-division 4 to sub-division number 3; and in sub-division 4, three lines from the bottom, strike out "four," and insert "three."

35. Page 210, chapter 14, title "Corporations," insert after amended or new section 39, the following new sections 40 and 41:

SEC. 40. Whoever, without lawful authority, willfully opens the grave or tomb where any corpse has been deposited, shall, upon conviction thereof, be imprisoned in the penitentiary not more than five nor less than one year.

SEC. 41. Whoever receives, conceals, or secretes any corpse, knowing it to have been procured and delivered contrary to the provisions of this act, shall be deemed guilty of a misdemeanor, and, on conviction thereof, shall be fined in any sum not exceeding one thousand dollars, or imprisoned not more than six months.

36. In chapter 2, section 18, in line 8, strike out the words "two-thirds of"; and strike out the words "actually subscribed," at end of section. In chapter 1, section 26, at end of first line, page 8, strike out the words "one-half of," and after the word "stock," in second line, strike out the words "actually subscribed and paid."

37. Page 21, section 15, add to the end of the section the following: "and any or all railroads hereafter to be constructed, which shall cross any avenue or public highway, leading from a city of the first or second class to a public cemetery of such city, situate within or without the limits of any such city, such railroad shall be constructed so as either to pass under or over such avenue or public highway, at such elevation or depression as the case may be, as will allow the unobstructed passage of all wagons, carriages, or other vehicles which it may be necessary for any person or persons to use upon such avenue or public highway."

38. Page 20, section 13, line 7, after the word "prescribe," insert the words "but all such conveyances acquired by gift, to said companies, shall be null and void, unless said company complete said road on the right of way so conveyed within five years from the time of said conveyance."

39. Page 94, section 10, line 17, after the word "cents," strike out all to end of section, and insert: "but on all turnpike roads constructed of and kept in repair with two-thirds broken limestone, the companies operating the same may charge and receive for each ten miles of travel on such road, and in the same proportion for any less distance; for every four-wheeled carriage or other vehicle drawn by one horse or other animal, twenty cents, and for each additional animal, ten cents; for every sled or sleigh drawn by one horse or other animal, ten cents, and each additional animal, five cents; for every horse, mule and rider, ten cents; for every horse, mule, or ass, six months old or upwards, five cents; for every head of neat cattle, six months old or upward, one and a half cents; for every head of hogs, three-fourths of a cent; for every head of sheep, one-half cent; for every stage coach or omnibus, drawn by two horses or other animals, forty cents, for each additional animal, ten cents; for every two-wheeled carriage, drawn by one horse, fifteen cents: provided, that on all the toll-roads in this state any person or persons going to and from their regular place of worship on the Sabbath, funerals, militia musters, elections, jurymen going to and returning from their attendance at

court, the troops and armies of the United States and of this state, may pass on any such turnpike or plank-road free of toll."

40. Page 104, section 33, strike out the word "majority," and insert the words "three-fourths."

41. Page 105, section 37, in line 5, after the word "publication," insert: "for four consecutive weeks."

42. Page 107, section 48, strike out the words "all the," and insert the words "at least two."

43. Page 110, section 50, in line 5, after the word "notice," insert the following: "In some newspaper published and of general circulation in the county."

44. Page 117, section 12, at end of line 8, insert the word "mark."

45. Page 118, section 2, in line 1, after the word "city," insert the word "or"; and after the word "village," strike out the words "or town."

46. Page 120, section 7, in line 2, strike out the words "the presence of the consumer," and insert the words "his presence."

47. Page 120, section 7, in line 6, strike out "fifty," and insert "twenty-five."

48. Page 120, section 7, strike out all after the word "meters," in next to last line.

49. Page 139, section 16, in last line, strike out the words "and one-half."

50. Page 140, sub-division 10, same section, strike out "and one-half."

51. Page 153, strike out sections 46 and 47.

52. Page 159, section 10, after the word "water," at the top of the page, insert: "also accidents to property from causes other than by fire or lightning."

53. Page 176, section 43, strike out the words in lines 1 and 2, "or that may hereafter become authorized."

54. Page 184, section 3, lines 3 and 4, strike out the words "not more than three meetings in any year," and insert the words "meetings of the board."

55. Page 189, section 18, lines 9 and 10, strike out the words "plead and be pleaded."

56. Page 43, section 73, line 1, strike out "thirty", and insert "ten."

57. Page 46, section 81, in lines 2 and 6, strike out "passenger"; and in line 4, strike out "if there is such apparatus."

58. Page 55, section 105, strike out "or street railroad."

59. Page 62, section 121, line 5, strike out the words "by the secretary of state."

60. Page 225, section 2, in line 3, strike out the word "ten," and insert the word "thirty."

61. Page 233, at end of chapter, add section 26, as follows:

SEC. 26. Every firm or individual engaged in the business of dealing in money, or loaning the same, and buying, selling, or discounting bills of exchange, promissory notes, or other evidences of debt, and receiving deposits, shall be deemed bankers, and every such firm or individual shall, on the first Monday of April and October of each year, make a full, fair, and correct detailed statement of the condition of the business of such firm or individual, which statement shall be sworn to by the members of such firm, or such individual, or the principal accounting officer of same.

The statement shall show —

1. The capital actually paid in and remaining in such business.
2. Amount of deposits payable on demand.
3. Amount of time deposits not due.
4. Amount of all other liabilities.
5. Amount of money in possession.
6. Amount on deposit with other banks or bankers and payable on demand.
7. Amount of loans and discounts, showing the amount loaned to all members of the firm, or the individual banker, or on which any of them are liable.
8. Amount of property, real and personal, and other assets.

Said statement shall be within ten days after said first Monday in April and October of each year, filed in the office of the recorder of the county in which the principal office of such firm or individual is located, and within the same time, published once in some newspaper published and of general circulation in said county.

The recorder of the county shall record such statement in a book to be provided for that purpose, and he shall be entitled to the same fees therefor as for recording deeds, but in no case less than twenty-five cents.

If any such firm or individual fail to make, file, or publish the statement herein required, such firm or individual shall be fined in any sum not exceeding one hundred dollars, to be recovered by indictment.

62. Page 235, section 3, in line 4, strike out the words "written consent of two of the trustees," and insert the words "consent of the council;" and section 4, line 1, strike out the word "trustees," and insert "council."

63. Page 244, section 30, in line 5, strike out "purpose," and insert "objects."

64. Page 251, section 49, in line 14, strike out "trustees," and insert "council."

65. Page 252, section 51, line 1, strike out "trustees," and insert "council."

66. Page 209, strike out section 38, and insert the following:

SEC. 38. All superintendents of city hospitals, directors or superintendents of city and county infirmaries, directors or superintendents of work-houses, directors or superintendents of asylums for the insane, or other charitable institutions founded and supported, in whole or in part, at public expense, the directors or warden of the penitentiary, and coroner in possession of bodies not claimed or identified, shall, before or after burial by such superintendent or directors, on the written application of the professor of anatomy in any medical college, or the president of any county medical society, deliver to such professor or president, for the purpose of medical or surgical study, or dissection, the body of any person who has died in either of said institutions, from any disease not infectious, if said body has not been requested for interment by any person at his expense; if the body of any deceased person so delivered shall be subsequently claimed, in writing, by any relative, or the legal representative of said deceased person, for private interment, it shall be given up to such claimant. After such bodies have been subjected to such medical or surgical examination, or dissection, the remains thereof shall be interred in some suitable place at the expense of said medical college or society; but in no case shall the body

of any deceased person named in this section be delivered as herein provided, until after one or more of the relatives of such deceased person, if known, shall have been notified, in writing, by the officer having such body under his control; and in no case shall such body be delivered until after the expiration of twenty-four hours from death; the bodies of strangers or travelers, who die in any of the institutions herein named, shall not be delivered for the purpose of dissection; and all bodies delivered, as herein provided, shall be used for medical and surgical study and dissection only, and within this state.

67. Page 255, add section 61: "Any company organized for the purpose of cultivating, canning, shipping, and dealing in fruit, may purchase, hold, and convey real and personal property for the purpose of conducting and carrying out the objects of the company, and may hold the same without the state."

68. Page 255, add new section, as follows:

SEC. 62. Any association organized for the purpose of preserving and protecting bodies of deceased persons before burial, may purchase, or take by devise or gift, hold and convey real estate, not exceeding one acre of land, and may erect thereon suitable buildings, and construct and maintain vaults, and such other appliances as may be necessary to carry out the objects of such association, and such property shall be exempt from execution, from taxation, and from being appropriated to any other public purpose, if used exclusively for the purposes herein described.

Attest:

L. A. BRUNNER, *Clerk*.

On motion, said bill and amendments were referred to the committee on the Judiciary.

Mr. Marsh, on leave, introduced the following bill, which was read the first time:

S. B. No. 377—To provide for the payment of the amounts of assessments in excess of twenty-five per cent. of the value of the lots or lands assessed for an improvement, in cities of the first grade of the first class.

On motion of Mr. Curtiss, the Senate adjourned.

Attest:

ALLEN O. MYERS, *Clerk*.

SATURDAY, May 24, 1879—10 O'CLOCK A.M.

The Senate met pursuant to adjournment.

Prayer by Rev. T. P. Abell.

The Journal was read and approved.

Leave of absence was asked and obtained for Messrs. Benson and Forrest until Monday next, and for Mr. Irvine until Tuesday next, on account of sickness.

The President appointed Messrs. Saltzgaber, Seitz and Sabine as a committee of Conference on H. B. No. 837 on part of the Senate.

Bills were read the second time and referred, as follows:

H. B. No. 625—Mr. Swaim—Supplementary to an act entitled an act defining the powers and duties of the Board of Public Works, passed May 14, 1878.

Committee on Public Works.

H. B. No. 732—Mr. Stubbs—To amend section eleven, of chapter five, title thirteen, taxation, (O. L., Vol. 75, p. 478).

Committee on Roads and Highways.

H. B. No. 1043 Mr. Hayman To authorize the transfer, by the City Council of the city of Portsmouth, Scioto county, Ohio, of certain funds herein named.

Committee on Municipal Corporations.

H. B. No. 1047—Mr. Crosson—To authorize the village of Batavia, Ohio, to transfer certain funds of said incorporated village to the building fund of said village.

Committee on Municipal Corporations.

H. B. No. 443—Mr. Wolf—To authorize the election of one additional Judge of the Court of Common Pleas, in the first subdivision of the seventh judicial district of the State of Ohio.

Committee on the Judiciary.

H. B. No. 1053—Mr. Wasson—To authorize the Trustees of Mound Hill Cemetery to use a portion of the funds of said cemetery to improve a road leading to the same.

Committee on Finance.

H. B. No. 1054—Mr. Morrey—To authorize the village of McConnells-ville to transfer certain funds.

Committee on Municipal Corporations.

S. B. No. 375—Mr. Jackson of Perry—To authorize the Board of Education of the village of New Straitsville, Perry county, to issue bonds to purchase a school-house.

Committee on Municipal Corporations.

S. B. No. 376—Mr. Tyler—To authorize the Council of the village of Milford, Clermont county, Ohio, to procure a prison.

Committee on Municipal Corporations.

S. B. No. 377—Mr. Marsh—To provide for the payment of the amounts of assessments in excess of twenty-five per cent. of the value of the lots or lands assessed for an improvement, in cities of the first grade of the first class.

Select committee of four—Senators from Hamilton county.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The House of Representatives has concurred in the adoption of the following joint resolution :

S. J. R. No. 95—Mr. Saltzgaber Requesting Secretary of State to return S. B. No. 300.

Attest :

L. A. BRUNNER, *Clerk,*

Mr. Richards submitted the following report :

The joint committee on Enrollment has examined, and found correctly enrolled, the following bill :

S. B. No. 291—To divide the township of Union, county of Licking, into two election precincts.

R. G. RICHARDS,

J. R. JOHNSTON,

E. S. PERKINS,

WM. JESSUP,

J. W. WASHBURN,

F. M. CARTER.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The Speaker of the House of Representatives has, in the presence of the House, signed the following bill:

S. B. No. 291—Mr. Owens—To divide the township of Union, county of Licking, into election precincts.

Attest:

L. A. BRUNNER, *Clerk.*

The President, in presence of the Senate, signed said bill.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bills, in which the concurrence of the Senate is requested:

H. B. No. 999—Mr. Levering—To provide for indexing the land records of Morrow county.

H. B. No. 972—Mr. Stubbs—To divide Harrison township, Preble county, Ohio, into two voting precincts.

H. B. No. 962—Mr. Sawyer—To create two election precincts in the township of Duchouquet, Auglaize county, Ohio.

H. B. No. 1043—Mr. Hayman—To authorize the transfer, by the City Council of the city of Portsmouth, Scioto county, Ohio, of certain funds herein named.

H. B. No. 1030—Mr. Achauer—To amend section twenty-five, of chapter eleven, of title 7, (public ways) of part second.

H. B. No. 743—Mr. Norton—To authorize the Trustees of Clinton township, Seneca county, Ohio, to levy a tax to macadamize and improve the roads and highways in said township.

Substitute for H. B. No. 608—Mr. Norton—To restrict the limits of the third judicial district, to define the several sub-divisions thereof, to form and establish a new district within its original limits, and to abolish the fourth sub-division thereof.

H. B. No. 1048—Mr. Crosson—To authorize the incorporated village of Batavia, Ohio, to issue bonds for the purpose of improving town-hall, purchasing ground, and building a village prison.

H. B. No. 1044—Mr. Townsend—Authorizing the County Commissioners of Athens county, Ohio, to levy an additional tax for county and poor purposes.

H. B. No. 1047—Mr. Crosson—To authorize the village of Batavia, Ohio, to transfer certain funds of said incorporated village to the building fund of said village.

H. B. No. 1022—Mr. Sullivan of Hamilton—To provide for the repair of the steamboat-landing and a road or street in the town of California, Anderson township, Hamilton county.

H. B. No. 629—Mr. Wright—To amend section five, of chapter five, of division eight of the act entitled an act to amend, revise and consolidate the statutes relating to municipal corporations, to be known as title twelve, part one of the act to revise and consolidate the general statutes of Ohio, passed May 14, 1878.

H. B. No. 926—Mr. Sullivan of Miami—To provide for the election of an additional Judge of the Court of Common Pleas in the second sub-division of the second judicial district.

H. B. No. 1052 - Mr. Sawyer—To authorize the Board of Education of the Union School District of St. Mary's, Auglaize county, to levy and assess an additional tax.

H. B. No. 995—Mr. Seifert—To create two voting precincts in the township of Berne, Fairfield county.

Attest :

L. A. BRUNNER, *Clerk.*

Mr. Jackson of Perry submitted the following report :

The standing committee on Municipal Corporations, to whom was referred S. B. No. 375—To authorize the Board of Education of New Straitsville, Perry county, to issue bonds to purchase a school-house—having had the same under consideration, report it back, and recommend its passage.

THEO. MARSH, LYMAN J. JACKSON,
G. M. SALTZGABER, GEO. W. WILSON.
JAS. B. STEEDMAN,

Said bill was ordered to be engrossed and read the third time on Tuesday next.

Mr. Richards submitted the following report :

The standing committee on Privileges and Elections, to whom was referred H. B. No. 886—To amend the act of May 3, 1852, entitled an act to regulate the election of State and county officers, (S. & C., 532)—having had the same under consideration, report it back, and recommend its indefinite postponement, for the reason that its provisions have been acted upon in the revision.

R. G. RICHARDS, G. M. SALTZGABER,
H. C. LORD, J. R. JOHNSTON.

Said report was agreed to.

Mr. Marsh submitted the following report :

The standing committee on Municipal Corporations, to whom was referred S. B. No. 370—To provide for the boundaries of the bed of the part of the Miami and Erie canal which has been abandoned and conveyed to the city of Toledo—having had the same under consideration, report it back, and recommend its passage.

THEO. MARSH, G. M. SALTZGABER,
JAS. B. STEEDMAN, LYMAN J. JACKSON.
G. A. GROVE,

Said bill was ordered to be engrossed and read the third time on Tuesday next.

Mr. Carson submitted the following report :

The standing committee on Common Schools and School Lands, to whom was referred S. B. No. 280—To create a special school district in Blanchard township, Hancock county—having had the same under consideration, report it back, and recommend its indefinite postponement.

J. M. CARSON, THOS. M. BEER,
G. A. GROVE, H. C. LORD.

Said report was agreed to.

Mr. Carson submitted the following report :

The standing committee on Common Schools and School Lands, to whom was referred H. B. No. 766—To authorize the Register of Virginia Military School Lands at Mansfield, Ohio, to close the business of his office having had the same under consideration, report it back, with the following amendments, and recommend its passage when so amended :

1. In section 1, lines 11 and 12, strike out the following words: "or if required by said register as necessary, a complete survey".

2. In section 2, line 3, strike out the word "hereinafter."
3. Strike out the whole of section 3, and renumber the sections from 4 to 7, inclusive.

J. M. CARSON,	H. C. LORD,
D. WAGENER,	R. G. RICHARDS.

Mr. Beer moved that said bill and report be laid on the table.

Which was agreed to.

Mr. McDonald, on leave, introduced the following bill, which was read the first time:

S. B. No. 378—To authorize the Commissioners of Ross county, Ohio, to divide the township of Liberty, in said county.

Mr. Carson submitted the following report:

The standing committee on Common Schools and School Lands, to whom was referred S. B. No. 203 To revise the laws relating to common schools—having had the same under consideration, report it back, and recommend that the Senate concur in House amendments Nos. 1, 5, 6, 8, 9, 10, 11, 15, 16, 18, 19, 20, 22 and 23, and non-concur in Nos. 2, 3, 4, 7, 12, 13, 14, 17, 21, 24, 25 and 26.

J. M. CARSON,	H. C. LORD,
C. F. KRIMMEL,	THOS. M. BEER,
R. G. RICHARDS,	G. A. GROVE.

The question being on agreeing to said report—

On demand of Mr. Seitz, a call of the Senate was had.

Twenty-three Senators answered to their names.

Messrs. Dungan, Grove, Howland, Kelley, Sherrick and Wagener were absent.

On motion of Mr. Seitz, further proceedings under the call were dispensed with.

The question recurring on agreeing to the report of the committee on S. B. No. 203—

The same were agreed to.

The question then being on concurring in the amendments recommended by the committee, the yeas and nays were taken, and resulted yeas 21, nays 1, as follow:

Those who voted in the affirmative were—

Messrs. Beer, Carlisle, Carson, Curtiss, Fisher, Jackson of Perry, Joy, Krimmel, Lord, Marsh, McDonald, Owens, Parker, Richards, Sabine, Saltzgaber, Seitz, Steedman, Stokes Tyler and Wilson—21.

Mr. Johnston voted in the negative.

So said amendments were agreed to.

Mr. Seitz moved that the Senate concur in House amendments Nos. 2, 3, 4, 7, 12, 13, 14, 17, 21, 24, 25 and 26.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 2, nays 14, as follow:

Those who voted in the affirmative were—

Messrs. Carlisle and Johnston—2.

Those who voted in the negative were—

Messrs. Carson, Curtiss, Fisher, Jackson of Perry, Lord, Marsh, McDonald, Owens, Parker, Richards, Saltzgaber, Seitz, Stokes and Tyler—14.

So the motion was disagreed to, and said House amendments were not concurred in.

Mr. Marsh submitted the following report:

The standing committee on Municipal Corporation

ferred S. B. No. 376—To authorize the Council of the village of Milford, Clermont county, Ohio, to procure a prison—having had the same under consideration, report it back, and recommend its passage.

THEO. MARSH, G. M. SALTZGABER,
JAS. B. STEEDMAN, LYMAN J. JACKSON.
GEO. W. WILSON,

Said bill was ordered to be engrossed and read the third time on Tuesday next.

Mr. Wilson presented the petition of Wm. Farrar and 205 other citizens of Madison, Clarke and Champaign counties, asking for the passage of H. B. No. 1003, relating to the purchase and sale of railroad tickets by other persons than agents of railroad companies.

Which was referred to the committee on Railroads, Telegraphs and Turnpikes.

Mr. Marsh submitted the following report:

The standing committee on Fish Culture and Game, to whom was referred S. B. No. 358, as amended by the House—To amend section thirty-five of an act entitled an act to amend, revise and consolidate the statutes relating to crimes and offenses, passed April 10, 1878, (O. L., Vol. 75, p. 108)—having had the same under consideration, report it back, and recommend that the Senate do not concur in the House amendments.

THEO. MARSH, JAS. B. STEEDMAN,
J. C. FISHER, THOS. M. BEER,
W. P. HOWLAND, R. G. RICHARDS.
C. S. PARKER,

The question being on concurring in said House amendments, the yeas and nays were demanded, taken, and resulted—yeas none, nays 14, as follow:

Those who voted in the negative were—

Messrs. Carlisle, Carson, Curtiss, Fisher, Howland, Lord, Marsh, Owens, Parker, Richards, Saltzgaber, Seitz, Stokes and Tyler—14.

So the Senate refused to concur.

On motion of Mr. Lord, the Senate adjourned.

Attest:

ALLEN O. MYERS, *Clerk.*

MONDAY, May 26, 1879—10 O'CLOCK A.M.

The Senate met pursuant to adjournment.

Prayer by Rev. W. E. Moore.

The Journal was read and approved.

Bills were read the second time and referred, as follows:

H. B. No. 995—Mr. Seifert—To create two voting precincts in township of Berne, Fairfield county.

Committee on Privileges and Elections.

H. B. No. 629 Mr. Wright—To amend section five of chapter five, of division eight of the act entitled an act to amend, revise and consolidate the statutes relating to municipal corporations, to be known as title twelve, part one of the act to revise and consolidate the general statutes of Ohio, passed May 14, 1878.

Committee on Municipal Corporations.

H. B. No. 926—Mr. Sullivan of Miami—To provide for the election of an additional Judge of the Court of Common Pleas in the second sub-division of the second judicial district.

Committee on the Judiciary.

H. B. No. 1052—Mr. Sawyer—To authorize the Board of Education of the Union School District of St. Mary's, Auglaize county, to levy and assess an additional tax.

Committee on Common Schools and School Lands.

H. B. No. 1048—Mr. Crosson—To authorize the incorporated village of Batavia, Ohio, to issue bonds for the purpose of improving town-hall, purchasing ground, and building a village prison,

Committee on Municipal Corporations.

H. B. No. 1044—Mr. Townsend—Authorizing the County Commissioners of Athens county, Ohio, to levy an additional tax for county and poor purposes.

Committee on Finance.

H. B. No. 1022—Mr. Sullivan of Hamilton—To provide for the repair of the steamboat-landing, and a road or street in the town of California, Anderson township, Hamilton county, Ohio.

Committee on Finance.

H. B. No. 962—Mr. Sawyer—To create two election precincts in the township of Duchouquet, Auglaize county, State of Ohio.

Committee on Privileges and Elections.

H. B. No. 972—Mr. Stubbs—To divide Harrison township, Preble county, Ohio, into two voting precincts.

Committee on Privileges and Elections.

H. B. No. 999—Mr. Levering—To provide for indexing the land records of Morrow county.

Committee on the Judiciary.

Substitute for H. B. No. 608—Mr. Norton—To restrict the limits of the third judicial district; to define the several sub-divisions thereof; to form and establish a new district within its original limits, and to abolish the fourth sub-division thereof.

Committee on the Judiciary.

H. B. No. 1030—Mr. Achauer—To amend section twenty-five, of chapter eleven, title seven, (public ways), of part second.

Committee on Roads and Highways.

Substitute for H. B. No. 743—Mr. Norton—To authorize the Trustees of Clinton township, Seneca county, Ohio, to levy a tax to macadamize and improve the roads and highways in said township.

Committee on Roads and Highways.

S. B. No. 378—Mr. McDonald—To authorize the Commissioners of Ross county, Ohio, to divide the township of Liberty, in said county.

Committee on Corporations other the Municipal.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The following bills have been introduced in the House of Representatives, and read the first time:

H. B. No. 1055—Mr. Dow—To authorize the Trustees of Zane township, Logan county, Ohio, to sell certain real estate and lease part of new township hall.

H. B. No. 1056—Mr. Washburn—To authorize the Commissioners of Pike county to issue bonds for bridge purposes.

H. B. No. 1057—Mr. Johnson—Prohibiting any citizen of this State from holding by appointment or election more than one of several offices at the same time.

H. B. No. 1058—Mr. Elliott—To authorize the Commissioners of Delaware county to pay an indebtedness of the Agricultural Society of said county.

H. B. No. 1059—Mr. Bull—To provide for the discovery, reclamation, and possession of certain property belonging to the State of Ohio.

H. B. No. 1060—Mr. Klimper—To create a Board of Public Works in certain cities having a population of one hundred and fifty thousand and upwards at the last federal census, and to repeal certain acts therein named.

H. B. No. 1061—Mr. Luccock—Authorizing the County Commissioners of Guernsey county to deposit funds in bank.

H. B. No. 1062—Mr. Herrick—To authorize the County Commissioners of Lorain county to advertise for proposals and make contract to build a new Court-house.

Attest :

L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The House of Representatives has concurred in Senate amendments to

H. B. No. 1028—Mr. Cowgill—To authorize the Boards of Education of Concord and Mad River townships, Champaign county, Ohio, to issue bonds and levy a tax on said townships to raise money to purchase a site and erect a school-house thereon.

Attest :

L. A. BRUNNER, *Clerk.*

Mr. Lord, on leave, introduced the following bill, which was read the first time :

S. B. No. 379 To authorize the Board of County Commissioners of Hamilton county, to maintain, repair, protect and preserve Mitchell Avenue Tunnel, from the bridge fund of said county, (supplementary to an act to authorize the Board of County Commissioners of Hamilton county to extend Mitchell avenue under the Miami and Erie canal, and to levy a tax to defray the expense thereof, passed April 28, 1877, (Vol. 74, O. L., p. 484.)

On motion of Mr. Krimmel, the Senate took a recess.

THREE O'CLOCK P.M.

Mr. Richards submitted the following report :

The joint committee on Enrollment has examined, and found correctly enrolled, the following bills and joint resolutions :

S. J. R. No. 95—Requesting Secretary of State to return S. B. No. 300.

S. J. R. No. 94—Allowing the surviving members of the 46th O. V. I. to have the temporary use of certain flags.

S. B. No. 355—To divide the township of New Haven, county of Huron, into election precincts.

S. B. No 364—To authorize the Trustees of Independence township, of Cuyahoga county to borrow money to meet the indebtedness of the poor fund of said township.

R. G. RICHARDS,	IRVINE DUNGAN,
J. W. WASHBURN,	C. F. KRIMMEL,
E. S. PERKINS,	WM. JESSUP.
A. D. MARSH,	

Mr. Lord, on leave, introduced the following bill, which was read the first time :

S. B. No. 380—To amend section one, chapter two, division eight of an act entitled an act to amend, revise and consolidate the statutes relating to municipal corporations, to be known as title twelve, part one of the act to revise and consolidate the general statutes of Ohio.

Mr. Forrest submitted the following report :

The standing committee on Judiciary, to whom was referred H. B. No. 926—To provide for the election of an additional Judge of the Court of Common Pleas in the second sub-division of the second judicial district—having had the same under consideration, report it back, and recommend its passage.

W. T. FORREST,	W. P. HOWLAND,
LYMAN J. JACKSON,	IRVINE DUNGAN.

Said bill was ordered to be engrossed and read the third time on Thursday next.

Mr. Forrest submitted the following report :

The standing committee on Judiciary, to whom was referred H. B. No. 443—To authorize the election of an additional Judge of the Court of Common Pleas in the first sub-division of the seventh judicial district of the State of Ohio—having had the same under consideration, report it back, and recommend its passage.

W. T. FORREST,	W. P. HOWLAND,
IRVINE DUNGAN,	LYMAN J. JACKSON.

Said bill was ordered to be engrossed and read the third time on Thursday next.

On demand of Mr. Parker, a call of the Senate was had.

Sixteen Senators answered to their names.

Messrs. Armstrong, Beebe, Beer, Benson, Carson, Curtiss, Jackson of Clinton, Johnston, Joy, Kelley, Marsh, Sabine, Saltzgaber, Seitz, Sherrick, Steedman, Tyler and Wagener were absent.

On motion of Mr. Carlisle, the Sergeant-at-Arms was dispatched for absentees.

Mr. Tyler appeared within the bar of the Senate, and answered to his name.

On motion of Mr. Carlisle, the Senate adjourned.

Attest :

ALLEN O. MYERS, *Clerk.*

TUESDAY, May 27, 1879—10 o'clock A.M.

The Senate met pursuant to adjournment.

Prayer by Rev. W. E. Moore.

The Journal was read and approved.

Leave of absence was asked and obtained for Mr. Seitz for this week on account of sickness.

Mr. Lord asked leave of absence, for to-day and to-morrow, for Messrs. Beer, Beebe, Curtiss, Howland, Jackson of Clinton, Johnston, Kelley, Richards, Sabine and Wilson.

Mr. Forrest objected to leave being granted to Mr. Curtiss, and demanded a division of the question.

Messrs. Beer and Beebe were granted leave.

The question being on granting leave to Mr. Curtiss, the yeas and nays were demanded, taken, and resulted—yeas 11, nays 6, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Benson, Jackson of Perry, Joy, Krimmel, Lord, Marsh, McDonald, Owens, Steedman and Williams 11.

Those who voted in the negative were—

Messrs. Dungan, Fisher, Forrest, Parker, Saltzgaber and Wagener—6.

(Mr. Stokes was present, but did not vote.)

So leave was granted.

Messrs. Howland, Jackson of Clinton, Johnston, Kelley, Richards, Sabine and Wilson were granted leave.

Leave of absence was asked and obtained for Messrs. Grove and Tyler for to-day and to-morrow.

Mr. Steedman presented the remonstrances of 543 citizens of Toledo, Lucas county, against the passage of H. B. No. 1003, or any other bill restricting the sale of railroad tickets by responsible parties.

Which was referred to the committee on Railroads, Telegraphs and Turnpikes.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The House of Representatives has concurred in Senate amendments Nos. 2, 3 and 4 to—

H. B. No. 895—Mr. Dodds To revise and codify the laws relating to the organization and maintenance of the militia of Ohio—and has refused to concur in amendments Nos. 1 and 5.

Attest :

L. A. BRUNNER, *Clerk.*

Mr. Forrest moved that the Senate insist on its amendments, and ask that a committee of Conference be appointed.

Which was agreed to.

MESSAGE FROM THE GOVERNOR.

THE STATE OF OHIO, EXECUTIVE DEPARTMENT,

COLUMBUS, 27th day of May, 1879.

To the Senate :

I have the honor to nominate, and by and with the advice and consent of the Senate, appoint Joseph M. Briggs, of Franklin county, to be a Trustee of Miami University. vice Richard Smith, appointed June 4, 1877, not confirmed.

Very respectfully,

RICHARD M. BISHOP.

On motion, said communication was referred to the committee on Universities, Colleges and Academies.

Mr. Dungan submitted the following report:

The joint committee on Enrollment has examined, and found correctly enrolled, the following bills:

H. B. No. 1006—To authorize the Council of the village of Bellefontaine, Ohio, to transfer funds.

H. B. No. 833—To amend the act of May 7, 1878, entitled an act to revise and consolidate the laws relating to procedure in the Probate Court, (75 Vol., p. 836.)

H. B. No. 1039—To authorize the Directors of special school district No. 3, of Woodville township, Sandusky county, Ohio, to transfer funds named therein.

H. B. No. 1029—To authorize the Council of the village of St. Mary's, Ohio, to transfer certain funds mentioned therein.

H. B. No. 976—To authorize the village Council of Cleves, Hamilton county, Ohio, to transfer certain funds.

H. B. No. 971—To authorize the Trustees of Spencer township, Guernsey county, to transfer certain funds named therein.

H. B. No. 1040—To authorize the Board of Education of New Holland special school district, Pickaway county, to build a school-house and issue bonds therefor.

H. B. No. 1028—To authorize the Boards of Education of Concord and Mad River townships, Champaign county, Ohio, to issue bonds and levy a tax on said townships, to raise money to purchase a site and erect a school-house thereon.

H. B. No. 1010 To authorize the Trustees and Board of Education of Strongsville township, Cuyahoga county, Ohio, to levy a tax to build a school-house and town-hall.

H. B. No. 1038—To authorize the Board of Education of Clay township, Ottawa county, Ohio, to transfer funds.

H. B. No. 794—Supplementary to an act entitled an act in regard to the boundary monuments on the line between the States of Ohio and Pennsylvania, (O. L., Vol. 75, p. 130).

H. B. No. 662 To amend section five, of chapter one of an act entitled an act to revise and consolidate the laws relating to procedure in the Probate Court, (O. L., Vol. 75.)

H. B. No. 597 To enable soldiers and marines of the Union Army Monument Association to record the names of the fallen soldiers and marines of the Union army.

IRVINE DUNGAN,
F. M. CARTER,
WM. JESSUP,
C. F. KRIMMEL,

J. W. WASHBURN,
E. S. PERKINS,
A. D. MARSH.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The Speaker of the House of Representatives has, in the presence of the House, signed the following bills and joint resolutions:

S. B. No. 355—Mr. Parker—To divide the township of New Haven, county of Huron, into election precincts.

S. B. No. 364—Mr. Curtiss—To authorize the Trustees of Independence township, Cuyahoga county, to borrow money to meet the indebtedness of the poor fund of said township.

S. J. R. No. 95—Mr. Saltzgaber—Requesting the Secretary of State to return S. B. No. 300.

S. J. R. No. 94—Mr. Saltzgaber—Allowing the surviving members of the 46th O. V. I. to have the temporary use of certain flags.

H. B. No. 925—Mr. Carpenter—To authorize the establishing of a Children's Home in Meigs county.

H. B. No. 978—Mr. Greene—Relating to the improvement of City Hall of Xenia, Greene county, Ohio.

H. B. No. 597—Mr. Bohl—To enable soldiers and marines of the Union Army Monument Association to record the names of the fallen soldiers and marines of the Union army.

H. B. No. 794—Mr. Reed of Trumbull—Supplementary to an act entitled an act in regard to the boundary monuments on the line between the States of Ohio and Pennsylvania, (O. L., Vol. 75, p. 130.)

H. B. No. 662—Mr. Dalzell—To amend section five, of chapter one of an act entitled an act to revise and consolidate the laws relating to procedure in the Probate Court, (O. L., Vol. 75, p. 839.)

H. B. No. 1006—Mr. Dow—To authorize the Council of the village of Bellefontaine, Ohio, to transfer funds.

H. B. No. 1028—Mr. Cowgill—To authorize the Boards of Education of Concord and Mad River townships, Champaign county, Ohio, to issue bonds and levy a tax on said townships, to raise money to purchase a site and erect a school-house thereon.

H. B. No. 1029—Mr. Sawyer—To authorize the Council of the village of St. Mary's, Ohio, to transfer certain funds therein mentioned.

H. B. No. 1040—Mr. Van Cleaf—To authorize the Board of Education of Hew Holland special school district, Pickaway county, to build a school-house and issue bonds therefor.

H. B. No. 971—Mr. Luccock—To authorize the Trustees of Spencer township, Guernsey county, to transfer certain funds named therein.

H. B. No. 976—Mr. Jessup—To authorize the village Council of Cleves, Hamilton county, Ohio, to transfer certain funds.

H. B. No. 833—Mr. Estill—To amend the act of May 7, 1878, entitled an act to revise and consolidate the laws relating to procedure in the Probate Court, (75 Vol., 836.)

H. B. No. 1039—Mr. Dunham—To authorize the Directors of special school district No. 3, of Woodville township, Sandusky county, Ohio, to transfer certain funds named therein.

H. B. No. 1010—Mr. Palmer—To authorize the Trustees and Board of Education of Strongsville township, Cuyahoga county, Ohio, to levy a tax to build a school-house and town-hall.

H. B. No. 1038—Mr. Ellis—To authorize the Board of Education of Clay township, Ottawa county, Ohio, to transfer funds.

Attest:

L. A. BRUNNER, *Clerk.*

The President, in presence of the Senate, signed said bills and joint resolutions.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bills, in which the concurrence of the Senate is requested:

H. B. No. 1055—Mr. Dow—To authorize the Trustees of Zane township, Logan county, Ohio, to sell certain real estate, and lease part of new Township Hall.

H. B. No. 1036—Mr. Parker To authorize the Commissioners of Brown county to levy a tax to pay indebtedness of the county.

H. B. No. 1056—Mr. Washburn—To authorize the Commissioners of Pike county to issue bonds for bridge purposes.

Attest:

L. A. BRUNNER, *Clerk.*

Said bills were read the first time.

Mr. Dungan presented the remonstrance of W. G. Cooper and 186 other citizens of Scioto county, against the passage of H. B. No. 1003, or any bill interfering with the sale of railroad tickets by responsible parties.

Which was referred to the committee on Railroads, Telegraphs and Turnpikes.

Mr. Dungan presented the remonstrance of A. B. Alger and 140 other citizens of Scioto county, against the passage of H. B. No. 1003, or any bill preventing the sale of railroad tickets by responsible persons.

Which was referred to the committee on Railroads, Telegraphs and Turnpikes.

Mr. Dungan presented the remonstrance of Thomas Carlisle, Sr., and 84 other citizens of Scioto county, against H. B. No. 1003, or any other bill preventing the sale of railroad tickets by responsible persons.

Which was referred to the committee on Railroads, Telegraphs and Turnpikes.

Mr. Krimmel presented the remonstrance of Edward J. Owens and 135 other citizens of Franklin county, remonstrating against any interference with the public works of the State.

Which was referred to the committee on Public Works.

Bills were read the second time and referred, as follows:

S. B. No. 379—Mr. Lord—To authorize the Board of County Commissioners of Hamilton county to maintain, repair, protect, and preserve Mitchell Avenue Tunnel from the bridge fund of said county, supplementary to an act to authorize the Board of County Commissioners of Hamilton county to extend Mitchell avenue under the Miami and Erie Canal, and to levy a tax to defray the expense thereof, passed April 28, 1877, (Vol. 74, O. L., p. 484).

Committee on Municipal Corporations.

S. B. No. 380 - Mr. Lord—To amend section one, chapter two, division eight of an act entitled an act to amend, revise and consolidate the statutes relating to municipal corporations, to be known as title twelve, part one of the act to revise and consolidate the general statutes of Ohio.

Committee on Privileges and Elections.

S. B. No. 375—Mr. Jackson of Perry—To authorize the Board of Education of the village of New Straitsville, Perry county, to issue bonds to purchase a school-house—was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 18, nays none, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Benson, Carlisle, Dungan, Fisher, Forrest, Jackson of Perry, Joy, Krimmel, Lord, Marsh, McDonald, Owens, Parker, Saltzgaber, Steedman, Stokes and Williams—18.

So the bill passed. The title was agreed to.

S. B. No. 37C—Mr. Steedman—To provide for the determination of the boundaries of the bed of the part of the Miami and Erie canal, which has been abandoned and conveyed to the city of Toledo—was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted - yeas 19, nays none, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Benson, Carlisle, Dungan, Fisher, Forrest, Jackson of Perry, Joy, Krimmel, Lord, Marsh, McDonald, Owens, Parker, Saltzgaber, Steedman, Stokes, Wagener and Williams --19.

So the bill passed. The title was agreed to.

S. B. No. 376—Mr. Tyler—To authorize the Council of the village of Milford, Clermont county, Ohio, to procure a prison—was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 19, nays none, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Benson, Carlisle, Dungan, Fisher, Forrest, Jackson of Perry, Joy, Krimmel, Lord, Marsh, McDonald, Owens, Parker, Saltzgaber, Steedman, Stokes, Wagener and Williams --19.

So the bill passed. The title was agreed to.

Leave of absence was asked and obtained for Mr. Steedman from Thursday until Monday next, that he may participate in the ceremonies of decorating the graves of the soldiers of the rebellion.

Mr. Saltzgaber submitted the following report:

The standing committee on Judiciary, to whom was referred S. B. No. 271—To revise and consolidate the laws relating to private corporations—having had the same under consideration, report it back, and recommend that the Senate concur in the following House amendments, viz: (the numbering is as shown in the message from the House) Nos. 2, 4, 8, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 52, 53, 55, 56, 57, 58, 59, 60, 62, 63, 64, 65 and 67.

And your committee recommend that the Senate non-concur in the following House amendments, viz.: Nos. 1, 3, 5, 6, 7, 9, 32, 49, 50, 51, 54, 66 and 68.

And your committee recommend that House amendment No. 61 be agreed to when modified as follows: Strike out lines 3 and 4 from end of section, and insert: "If any person fails to make, file, or publish the statement herein required, he."

W. T. FORREST, LYMAN J. JACKSON,
G. M. SALTZGABER, IRVINE DUNGAN.

The question being on concurring in House amendments as reported favorably upon by the committee, the yeas and nays were taken, and resulted—yeas 18, nays none, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Benson, Carlisle, Dungan, Fisher, Forrest, Jackson of Perry, Joy, Krimmel, Lord, Marsh, McDonald, Owens, Parker, Saltzgaber, Stokes, Wagener and Williams—18.

So the Senate concurred in said House amendments.

The question then being on concurring in House amendments as reported unfavorably upon by the committee, the yeas and nays were taken, and resulted—yeas none, nays 18, as follow:

Those who voted in the negative were—

Messrs. Armstrong, Benson, Carlisle, Dungan, Fisher, Forrest, Jackson of Perry, Joy, Krimmel, Lord, Marsh, McDonald, Owens, Parker, Saltzgaber, Stokes, Wagener and Williams—18.

So the Senate refused to concur in said House amendments.

The question then being on concurring in House amendment No. 61, as amended by the committee, the yeas and nays were taken, and resulted—yeas 7, nays 8, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Dungan, Forrest, Krimmel, Steedman Stokes and Williams 7.

Those who voted in the negative were—

Messrs. Carlisle, Fisher, Lord, Marsh, McDonald, Owens, Parker and Wagener—8.

So the Senate refused to concur in said amendment.

Mr. Marsh submitted the following report:

The standing committee on Municipal Corporations, to whom was referred H. B. No. 1054—To authorize the village of McConnelsville to transfer certain funds—having had the same under consideration, report it back, and recommend its passage.

THEO. MARSH,	G. M. SALTZGABER,
JAS. B. STEEDMAN,	LYMAN J. JACKSON.

Said bill was ordered to be engrossed and read the third time on Thursday next.

Leave of absence was asked and obtained for Mr. Lord until Thursday morning.

Mr. Armstrong presented the petition of E. S. Throop and 16 other citizens of Cincinnati, Hamilton county, against the passage of H. B. No. 1003.

Which was referred to the committee on Railroads, Telegraphs and Turnpikes.

Mr. Williams submitted the following report:

The standing committee on Roads and Highways, to whom was referred H. B. No. 1030—To amend section twenty-five, of chapter eleven, of title seven, (public ways) of part second—having had the same under consideration, report it back, with the following amendment, and recommend its passage when so amended:

In section 1, at the end of line 27, strike out “that,” and insert: “which is in Madison county, nor that part which.”

B. W. CARLISLE,	J. B. WILLIAMS,
JOHN C. McDONALD,	C. S. PARKER.

Said amendment was agreed to, and the bill was ordered to be engrossed and read the third time on Friday next.

Mr. Parker submitted the following report:

The standing committee on Roads and Highways, to whom was re-

ferred H. B. No. 1027—To amend the first section of an act entitled an act to enable the Commissioners of Clarke, Franklin, Miami, Pickaway and Pike counties to purchase toll-roads and convert them into free roads—having had the same under consideration, report it back, and recommend its passage.

B. W. CARLISLE, J. C. McDONALD,
J. B. WILLIAMS, C. S. PARKER.

Said bill was ordered to be engrossed and read the third time on Friday next.

Mr. Steedman moved that the Senate adjourn until Thursday morning at 10 o'clock.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 7, nays 10, as follow :

Those who voted in the affirmative were—

Messrs. Fisher, Jackson of Perry, Joy, Krimmel, Lord, Steedman and Wagener—7.

Those who voted in the negative were—

Messrs. Armstrong, Benson, Carlisle, Dungan, Forrest, McDonald, Owens, Parker, Saltzgaber and Stokes—10.

So the motion was disagreed to.

Mr. Forrest moved that the Senate take a recess.

On demand of Mr. Steedman, a call of the Senate was had.

Nineteen Senators answered to their names.

Messrs. Carson, Irvine and Sherrick were absent.

On motion of Mr. Marsh, further proceedings under the call were dispensed with.

The question recurring on Mr. Forrest's motion to take a recess, the yeas and nays were demanded, taken, and resulted—yeas 6, nays 12, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Carlisle, Dungan, Forrest, Parker and Williams—6.

Those who voted in the negative were—

Messrs. Benson, Fisher, Jackson of Perry, Joy, Krimmel, Lord, Marsh, McDonald, Owens, Steedman, Stokes and Wagener—12.

So the motion was disagreed to.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The House of Representatives has concurred in the first Senate amendment to—

H. B. No. 882—Mr. Booth—To provide for the re-recording of destroyed and spoliated records—and has refused to concur in the second amendment.

Attest :

L. A. BRUNNER, *Clerk.*

Mr. Krimmel moved that the Senate insist upon its amendment, and ask for a committee of Conference.

Which was agreed to.

Mr. Lord moved that when the Senate adjourns to-day, it be until Thursday morning next at 10 o'clock.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 11, nays 6, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Fisher, Jackson of Perry, Joy, Krimmel, Lord, Marsh, Steedman, Stokes, Wagener and Williams—11.

Those who voted in the negative were—

Messrs. Benson, Carlisle, Dungan, McDonald, Parker and Saltzgaber—6.

Mr. Forrest was present, but did not vote.

So the motion was agreed to.

Mr. Carlisle moved that the Senate take a recess.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 3, nays 12, as follow:

Those who voted in the affirmative were—

Messrs. Carlisle, Jackson of Perry and Marsh—3.

Those who voted in the negative were—

Messrs. Benson, Dungan, Fisher, Joy, Krimmel, Lord, McDonald, Owens, Saltzgaber, Steedman, Stokes and Wagener—12.

So the motion was disagreed to.

On demand of Mr. Marsh, a call of the Senate was had.

Eighteen Senators answered to their names.

Messrs. Carson, Irvine, Joy and Sherrick were absent.

Mr. Saltzgaber moved that the Sergeant-at-Arms be dispatched for absentees.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 7, nays 9, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Carlisle, Forrest, McDonald, Owens, Parker and Saltzgaber—7.

Those who voted in the negative were—

Messrs. Fisher, Jackson of Perry, Krimmel, Lord, Marsh, Steedman, Stokes, Wagener and Williams—9.

So the motion was disagreed to.

Mr. Marsh moved that the Senate adjourn.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 9, nays 7, as follow:

Those who voted in the affirmative were—

Messrs. Fisher, Krimmel, Lord, Marsh, Saltzgaber, Steedman, Stokes, Wagener and Williams—9.

Those who voted in the negative were—

Messrs. Benson, Carlisle, Dungan, Forrest, McDonald, Owens and Parker—7.

So the motion was agreed to, and the Senate adjourned until Thursday morning next at 10 o'clock.

Attest:

ALLEN O. MYERS, *Clerk.*

THURSDAY, May 29, 1879—10 o'clock A.M.

The Senate met pursuant to adjournment.

Prayer by Rev. W. E. Moore.

The Journal was read and approved.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has adopted the following joint resolution, in which the concurrence of the Senate is requested:

H. J. R. No. 126—Mr. Bloom—Directing the Clerks of the House and Senate to prepare a duplicate engrossed copy of H. B. No. 610, by Mr. Van Cleaf.

Attest:

L. A. BRUNNER, *Clerk*.

The question being on the adoption of said joint resolution, the yeas and nays were ordered, taken, and resulted—yeas 21, nays none, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong. Beebe, Beer, Benson, Carlisle, Carson, Curtiss, Dungan, Fisher, Forrest, Grove, Jackson of Clinton, McDonald, Owens, Parker, Sherrick, Steedman, Stokes, Tyler, Wagener and Williams—21.

So said joint resolution was adopted.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has concurred in the passage of the following bill:

S. B. No. 256—Mr. Dungan To revise and consolidate the statutes relating to county officers—with the following amendments, in which the concurrence of the Senate is requested:

1. Chapter 1, page 362, section 15, line 5, after the word “bridges,” insert: “or for insuring the same, or employment of janitors.”

2. Page 363, section 18, line 3, after the word “of,” insert the following words: “not exceeding two thousand nor less than.”

3. Page 364, section 21, at the end of the section, add: “and a commissioner who fails, neglects, or refuses, on demand made therefor in writing, by the county treasurer, to furnish such safe or vault, shall be fined not more than one thousand nor less than one hundred dollars, and shall be liable on his official bond, and in his individual capacity, for all money or property stolen, robbed, or unlawfully taken from the county treasury during the time such safe or vault is not provided.”

4. Page 364, section 22, line 4, strike out the words “in common public use.”

5. Page 367, section 30, line 2, strike out the words “some disinterested person,” and insert: “a competent engineer.”

6. Page 367, section 31, line 10, strike out the words “more than twenty per cent.”

7. Page 368, section 34, lines 8 and 9, strike out the words “the legal rate at the time such money is borrowed;” and in line 8, after the word “exceed,” add the words “six per cent. per annum.”

8. Page 372, section 46, lines 3 and 4, strike out the words “be liable to pay a fine of,” and insert: “forfeit and pay.”

9. Page 373, section 50, lines 3 and 4, strike out the words “be liable to pay a fine of,” and insert: “forfeit and pay.”

10. Page 375, section 56, in line seven from the top of the page, strike out the words “or not.”

11. Page 379, section 69, line 5, strike out the word "ten," and insert "six."

12. Page 379, section 70, line 1, strike out the words "are authorized," and insert "shall;" and in same section, line 2, strike out the word "to."

13. Page 380, section 71, in the last line of the section, strike out the words "in the county," and insert the word "therein."

14. Page 80, section 72, line 11, strike out the word "county."

15. Page 380, section 73, line 7, strike out the words "ask for and."

16. Page 381, section 75, line 5, strike out the words "so that," and insert the word "but"; and in same section, line 6, strike out the word "only," and insert the same word after "allowed."

17. Page 384, section 79, line 4 on that page, strike out the word "county."

18. Page 382, section 78, line 3, strike out the words "are authorized to," and insert the word "may."

19. Page 384, section 80, line 1, strike out the words "are authorized," and insert the word "may"; and in same section, line 2, strike out the word "to."

20. Page 384, section 81, line 1, strike out the words "are authorized," and insert the word "may"; and in same section, line 2, strike out the word "to."

21. Page 384, section 81, line 7, strike out the word "county."

22. Page 384, section 82, strike out all of line 1, also the following words in line 4: "to agree to pay and to," and insert the words "the commissioners may."

23. Page 385, section 84, line 5, strike out the word "ten," and insert the word "six."

24. Page 385, section 86, in lines 3 and 4, strike out the words "are authorized to," and insert the word "may."

25. Page 390, section 97, line 1, strike out the words "in this state."

26. Page 399, section 2, lines 7 and 8, strike out the words "as provided in the preceding section," and insert the words "for the term of three years."

27. Page 404 section 14, line 5, strike out the word "or," and insert the word "and."

28. Page 405, section 18, in the last line of the page, strike out the following words: "but the directors of the infirmary may order the discharge of any inmate thereof."

29. Page 407, chapter 2, section 21, add to the end of the section: "When the number of children of school age in any county infirmary is fifteen or more, the directors may establish a primary school, employ a teacher, and provide the necessary books."

30. Page 409, section 25, lines 5 and 6, strike out the words "of whatever nature or kind the same may," and in same section, line 6, strike out the word "be."

31. Page 413, section 34, lines 15 and 16, strike out the words "prosecuting attorney," and insert the words "county solicitor."

32. Page 418, section 8, line 10, between the words "they" and "are," insert the words "or any county officer."

33. Page 424, section 1, line 3, strike out the word "second," and insert the word "first"; and in same line, strike out the word "November," and insert the word "December."

34. Page 424, section 2. at the end of the section add the following words: "who shall record and carefully preserve the same."

35. Page 425, section 6, in lines 2, 3 and 4, strike out the words "but no such appointment shall be made without the approval of the county commissioners."

36. Page 430, section 21, line 7 from top of page, strike out the words "incorporated town," and insert the words "municipal corporation"; and in line 9 from top of page, strike out the words "incorporated town," and insert the words "municipal corporation."

37. Page 431, section 24, in line 6, strike out "twentieth," and insert "tenth"; and in line 9, strike out "fortieth," and insert "twentieth"; and in line 10, strike out "fortieth," and insert "twentieth"; and in same line, strike out "twentieth," and insert "tenth"; and in line 11, strike out "twentieth," and insert "tenth."

38. Page 438, section 39, in the last line of the section, before the word "fund," strike out the word "county," and insert the word "school."

39. Page 452, section 10, line 3, strike out the word "first", and insert the word "twenty-fifth."

40. Page 453, section 15, line 5, strike out the word "road"; and after the word "purpose," in same line, insert the words "exclusive of road taxes."

41. Page 481, section 14, line 3, after the word "office", insert: "or any office in this state where the same may be procured."

42. Page 482, section 17, line 8, strike out the word "recorder", and insert the word "surveyor."

43. Page 482, section 18, line 1, strike out "recorder", and insert "surveyor."

44. Page 482, section 18, strike out the senate amendment and restore the original section and numbering of the succeeding sections as in the bill when introduced.

45. Page 483, section 21, strike out all of section 21, and insert the following: "The surveyor is entitled to charge and receive the following fees: When employed by the day, four dollars for each day; when not so employed, for each rod run, not exceeding one mile, three-fourths of one cent; and for each rod over one mile, one-half of one cent; for making out or recording a plat not exceeding six lines, seventy-five cents, and for each line in addition, five cents; for each one hundred words or figures therein, six cents; for calculating the contents of a tract not exceeding four sides, fifty cents, and for each additional line ten cents; for mileage, going and returning, five cents per mile; and for all other services, the same fees as those of other officers for like services; and chain carriers and markers are entitled, each, to one dollar."

46. Page 494, chapter 8, section 17, lines 2 and 3, strike out the words "his successors in office", and insert the words: "the clerk of the court of common pleas."

47. Page 511, chapter 9, section 21, strike out the following words in lines 20, 21 and 22: "For entering an order to advertise, twenty cents; for entering proof of publication, ten cents; for entering a rule for pleading, five cents;" and in lines 25 and 26, same page, chapter, and section, strike out the following: "For entering an exoneration of bail, ten cents."

48. Same chapter and section, lines 27 and 28, strike out the words "for entering an appointment of a guardian for suit, ten cents."

49. Same chapter and section, line 34, strike out all of line 34.

50. Same chapter and section, lines 49, 50 and 51, strike out the following: "And for entering satisfaction of a final order or judgment to be taxed as an item of original costs, ten cents."

51. Same chapter and section, lines 58 and 59, strike out the following: "Attending to the striking of a special jury and issue a venire therefor," and insert in lieu thereof the words "issuing each venire for a jury"; and add after the word "dollar," in same line and section, the words "to be paid out of the county treasury."

52. Page 520, chapter 10, at the end of section 14, add the following: "For the use of common schools."

53. In line 5, section 2, page 516, after the word "state," insert the words "or of any city or village."

Attest:

L. A. BRUNNER, *Clerk.*

Mr. Fisher moved that said bill and House amendments be referred to the committee on the Judiciary.

Which was agreed to.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives accedes to the request of the Senate, and has appointed Messrs. Dodds, Bloom and Williamson a committee of Conference, to consider the differences existing between the two Houses on H. B. No. 895, by Mr. Dodds.

Attest:

L. A. BRUNNER, *Clerk.*

The President appointed Messrs. Steedman, Owens and Beer as such committee on part of the Senate.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives accedes to the request of the Senate, and has appointed Messrs. Booth, Lovelace and Kerr as a committee of Conference on the part of the House, to consider the differences existing between the two Houses on H. B. No. 882, by Mr. Booth.

Attest:

L. A. BRUNNER, *Clerk.*

The President appointed Messrs. Krimmel, Armstrong and Beebe as such committee on part of the Senate.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives insists on its amendments Nos. 2, 3, 4, 7, 12, 13, 14, 17, 21, 24, 25 and 26 to

S. B. No. 203—Mr. Krimmel—To revise the statutes relating to common schools—and asks for a committee of Conference.

Attest:

L. A. BRUNNER, *Clerk.*

Said request was acceded to, and the President appointed Messrs. Carson, Parker and Richards as such committee on part of the Senate.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The House of Representatives has concurred in Senate amendments Nos. 1, 2, 3, 4, 7, 8, 17, 18, 24, 25, 26, 27, 28, 30 and 31; and has non-concurred in Nos. 5, 6, 9, 10, 11, 12, 13, 14, 15, 16, 19, 20, 21, 22, 23 and 29 to—

H. B. No. 593—Mr. Brown of Putnam Revising the statutes relating to drainage.

Attest:

L. A. BRUNNER, *Clerk*.

Mr. Fisher moved that the Senate insist on its amendments to said bill, and ask for a committee of Conference.

Which was agreed to, and the President appointed Messrs. Saltzgaber, Joy and Jackson of Clinton as such committee on part of the Senate.

Mr. Dungan presented the remonstrance of Wm. C. Safford and 40 other citizens of Pike county, against the abandonment of the Hocking and Ohio canals.

Which was referred to the committee on Public Works.

Mr McDonald presented the remonstrance of John Blain and 300 other citizens of Pike and Ross counties, against the passage of any law to abandon the Ohio canals.

Which was referred to the committee on Public Works.

Mr. Dungan presented the remonstrance of Andrew Kilgore and 190 other citizens of Pike county, against the abandonment of the Hocking and Ohio canals.

Which was referred to the committee on Public Works.

Mr. Beer presented the remonstrance of D. L. Etzler and 77 other citizens of Mansfield, Ohio, protesting against the passage of H. B. No. 1003.

Which was referred to the committee on Railroads, Telegraphs and Turnpikes.

Mr. Beer presented the remonstrance of James Middleworth and 70 other citizens of Mansfield, Ohio, against the passage of H. B. No. 1003.

Which was referred to the committee on Railroads, Telegraphs and Turnpikes.

Mr. Wagener presented the remonstrance of D. B. Cratty and 58 other citizens of Bellaire, Belmont county, remonstrating against the passage of H. B. No. 1003, restricting the sale of railroad tickets.

Which was referred to the committee on Railroads, Telegraphs and Turnpikes.

Mr. Saltzgaber presented the remonstrance of Benj. L. Abell and 225 other citizens of Defiance county, against the passage of H. B. No. 1003, or any bill prohibiting the sale of railroad tickets by responsible parties.

Which was referred to the committee on Railroads, Telegraphs and Turnpikes.

Mr. Beer presented the remonstrance of John C. Larwill and 87 other citizens of Ashland county, protesting against the passage of the "Scalpers'" bill.

Which was referred to the committee on Railroads, Telegraphs and Turnpikes.

Bills were read the second time and referred, as follows:

H. B. No. 1055—Mr. Dow—To authorize the Trustees of Zane township,

Logan county, Ohio, to sell certain real estate, and lease part of new Township Hall.

Committee on Finance.

H. B. No. 1036—Mr. Parker —To authorize the Commissioners of Brown county to levy a tax to pay indebtedness of the county.

Committee on Municipal Corporations.

H. B. No. 1056—Mr. Washburn—To authorize the Commissioners of Pike county to issue bonds for bridge purposes.

Committee on Corporations other than Municipal.

Mr. Carson moved that H. B. No. 926 be laid on the table.

Which was agreed to.

Mr. Jackson of Perry moved that H. B. No. 443 be informally passed.

Which was agreed to.

H. B. No. 1054—Mr. Morrey—To authorize the village of McConnells-ville to transfer funds—was read the third time.

Mr. Armstrong moved that said bill be laid on the table.

Which was agreed to.

Mr. Curtiss, on leave, introduced the following bill, which was read the first time :

S. B. No. 381 —To regulate the taking of trout and salmon in the waters of the State of Ohio.

Mr. Benson submitted the following report :

The standing committee on Drains and Drainage, to whom was referred H. B. No. 987—To provide for the more effectual drainage of Hog Creek Marsh, in Hardin county — having had the same under consideration, report it back, and recommend its passage.

JOHN A. BENSON,	THOS. S. JACKSON,
WM. H. STOKES,	J. C. McDONALD.

Said bill was ordered to be engrossed and read the third time to-morrow.

On motion of Mr. Benson, the Senate took a recess.

THREE O'CLOCK P.M.

Mr. Benson submitted the following report :

The standing committee on Public Printing, to whom was referred S. R. No. 91—Directing the committee on Public Printing to inquire into the propriety of purchasing the electrotpe plates of Curwin's statutes—having had the same under consideration, report it back without recommendation.

JOHN H. BENSON,	LINDSEY KELLEY,
D. D. BEEBE,	J. C. FISHER.
J. M. ARMSTRONG,	

On motion of Mr. Curtiss, said joint resolution was laid on the table.

Mr. Sherrick submitted the following report :

The standing committee on Finance, to whom was referred H. B. No. 1055—To authorize the Trustees of Zane township, Logan county, Ohio, to sell certain real estate and to lease part of new Township Hall—having had the same under consideration, report it back, and recommend its passage.

J. SHERRICK,	J. M. CARSON,
H. W. CURTISS,	J. C. FISHER.

Said bill was ordered to be engrossed and read the third time tomorrow.

Mr. Sherrick submitted the following report :

The standing committee on Finance, to whom was referred H. B. No. 1022 - To provide for the repair of the steamboat landing, and a road or street in the town of California, Anderson township, Hamilton county—having had the same under consideration, report it back, and recommend its passage.

J. SHERRICK,	THOS. M. BEER,
J. C. FISHER,	H. W. CURTISS.
J. M. CARSON,	

Said bill was ordered to be engrossed and read the third time now, and was then read.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 24, nays none, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beer, Benson, Carlisle, Carson, Curtiss, Fisher, Forrest. Jackson of Clinton, Jackson of Perry, Johnston, Joy, Kelley, Marsh, Owens, Parker, Sabine, Saltzgaber, Sherrick, Stokes, Tyler, Wagener, Williams and Wilson—24.

So the bill passed. The title was agreed to.

Mr. Beer submitted the following report :

The standing committee on Finance, to whom was referred H. B. No. 1031—To authorize the Treasurer of Lorain county, Ohio, to deposit funds of the county in the banks of the county during the re-building of the Court-house—having had the same under consideration, report it back, and recommend its passage.

H. W. CURTISS,	THOS. M. BEER,
J. SHERRICK,	J. M. CARSON.

Said bill was then ordered to be engrossed and read the third time now, and was then read.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 23, nays none, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beer, Benson, Carlisle, Carson, Curtiss, Fisher, Forrest, Howland, Jackson of Clinton, Jackson of Perry, Johnston, Joy, Kelley, Marsh, McDonald, Owens, Sabine, Sherrick, Stokes, Tyler, Wagener and Wilson 23.

So the bill passed. The title was agreed to.

Mr. Forrest submitted the following report :

The standing committee on Judiciary, to whom was referred S. B. No. 256—To revise and consolidate the statutes relating to county officers—having had the same under consideration, report it back, and recommend that the Senate concur in House amendments Nos. 1, 2, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 29, 30, 31, 32, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 47, 48, 49, 50, 51, 52 and 53, and that the Senate do not concur in House amendments Nos. 3, 4, 28, 33 and 46.

W. T. FORREST,	G. M. SALTZGABER,
W. P. HOWLAND,	IRVINE DUNGAN.

The question being on concurring in House amendments reported favorably upon by the committee, the yeas and nays were taken, and resulted—yeas 23, nays 1, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beer, Benson, Carlisle, Carson, Dungan, Fisher, Forrest, Grove, Jackson of Clinton, Jackson of Perry, Joy, Kelley, Marsh, Owens, Parker, Saltzgaber, Sherrick, Steedman, Stokes, Tyler, Wagener and Williams—23.

Mr. Johnston voted in the negative.

So the Senate concurred in said amendments.

The question the being on concurring in House amendments reported unfavorably upon by the committee, the yeas and nays were taken, and resulted—yeas none, nays 24, as follow :

Those who voted in the negative were—

Messrs. Armstrong, Beer, Benson, Carson, Curtiss, Dungan, Fisher, Forrest, Grove, Howland, Jackson of Clinton, Jackson of Perry, Kelley, Marsh, McDonald, Owens, Parker, Richards, Saltzgaber, Steedman, Stokes, Wagener, Williams and Wilson—24.

So the Senate refused to concur in said House amendments, and the report of the committee was agreed to.

Mr. Curtiss submitted the following report :

The standing committee on Finance, to whom was referred H. B. No. 1053—To authorize the Trustees of Mound Hill Cemetery to use a portion of the funds of said cemetery to improve a road leading to the same—having had the same under consideration, report it back, and recommend its passage.

THOS. M. BEER,	H. W. CURTISS,
J. SHERRICK,	J. C. FISHER.
J. M. CARSON,	

Said bill was ordered to be engrossed and read the third time now, and was then read.

The question being “Shall the bill pass?” the yeas and nays were taken, and resulted—yeas 25, nays none, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beer, Benson, Carlisle, Curtiss, Dungan, Fisher, Grove, Jackson of Clinton, Jackson of Perry, Johnston, Joy, Kelley, Marsh, McDonald, Owens, Parker, Richards, Sabine, Saltzgaber, Steedman, Stokes, Tyler, Williams and Wilson-- 25.

So the bill passed. The title was agreed to.

Mr. Steedman submitted the following report :

The committee of Conference, to whom was referred the matters of difference between the two Houses on H. B. No. 895, having had the same under consideration, have agreed to recommend to the respective branches of the General Assembly as follows :

1. That the following be adopted as a substitute for the Senate amendment as section one, of chapter two, viz. :

SECTION 1. The organized militia shall be composed of such companies, troops and batteries as are now organized according to law, and such other companies, troops and batteries as may hereafter be organized pursuant to the provisions of this title ; but such force shall not exceed one hundred companies of infantry, eight batteries of artillery of four guns each, and two troops of cavalry, except as provided in sections one and four, chapter five, of this title ; and companies hereafter organized shall

be apportioned throughout the state in accordance with the population and requirements of the several counties, as nearly as practicable; provided, however, that no company now organized shall be mustered out of service, until the expiration of term of enlistment, unless by reason of not having the minimum number of privates required by section four of this chapter, or for any other legal cause, (74 Vol., 227, § 1).

2. That the Senate recede from No. 5 of its amendments, and adopt the amendment of the House to section sixteen, chapter four, (47 Vol., 235, § 34).

JAMES B. STEEDMAN,
JAMES W. OWENS,
THOS. M. BEER,

Committee on part of the Senate.

S. S. BLOOM,
JOHN A. WILLIAMSON,

Committee on part of the House.

The question being on agreeing to said report, the yeas and nays were taken, and resulted—yeas 26, nays none, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Beer, Benson, Carlisle, Carson, Curtiss, Dungan, Fisher, Grove, Jackson of Clinton, Jackson of Perry, Johnston, Joy, Kelley, Marsh, McDonald, Owens, Parker, Richards, Sherrick, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—26.

So said report was agreed to.

Mr. Stokes submitted the following report:

The standing committee on Agriculture, to whom was referred H. B. No. 397—Authorizing the removal of obstructions from the Miami river in Logan county—having had the same under consideration, report it back, and recommend its passage.

B. W. CARLISLE,	W. H. STOKES,
JOHN H. BENSON,	J. B. WILLIAMS,
THOS S. JACKSON,	H. SABINE.

Said bill was ordered to be engrossed and read the third time tomorrow.

Mr. Kelley submitted the following report:

The standing committee on Public Printing, to whom was referred S. J. R. No. 92—Directing the printing of school laws—having had the same under consideration, report it back, and recommend its adoption.

D. D. BEEBE,	LINDSEY KELLEY,
JOHN H. BENSON,	J. M. ARMSTRONG.
J. C. FISHER,	

The question being on the adoption of the joint resolution, the yeas and nays were ordered, taken, and resulted—yeas 21, nays 2, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Beer, Benson, Carlisle, Carson, Curtiss, Fisher, Jackson of Clinton, Johnston, Kelley, Krimmel, McDonald, Owens, Parker, Richards, Sabine, Saltzgaber, Steedman, Tyler, Williams and Wilson—21.

Those who voted in the negative were—

Messrs. Dungan and Forrest—2.

So said joint resolution was adopted.

Mr. Marsh moved that H. B. No. 1054 be taken from the table.

Which was agreed to.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 23, nays none, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Benson, Carlisle, Carson, Dungan, Fisher, Grove, Howland, Jackson of Clinton, Jackson of Perry, Johnston, Kelley, Krimmel, Marsh, McDonald, Owens, Parker, Richards, Sherrick, Steedman, Wagener, Williams and Wilson—23.

So the bill passed. The title was agreed to.

Mr. Carlisle moved that H. B. No. 443, informally passed this morning, be taken up.

Which was agreed to, and said bill was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 27, nays 1, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beer, Benson, Carlisle, Curtiss, Dungan, Grove, Howland, Jackson of Clinton, Jackson of Perry, Johnston, Joy, Kelley, Krimmel, Marsh, McDonald, Owens, Parker, Richards, Saltzgaber, Sherrick, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—27.

Mr. Fisher voted in the negative.

So the bill passed. The title was agreed to.

Mr. Wilson moved that the report of the Judiciary committee on House amendments to S. B. No. 295, be taken from the table.

Which was agreed to.

The question being on concurring in the first House amendment, the yeas and nays were taken, and resulted yeas 1, nays 26, as follow :

Mr. Saltzgaber voted in the affirmative.

Those who voted in the negative were—

Messrs. Armstrong, Beer, Benson, Carlisle, Carson, Curtiss, Dungan, Fisher, Forrest, Grove, Howland, Jackson of Clinton, Jackson of Perry, Johnston, Joy, Kelley, Krimmel, Marsh, McDonald, Owens, Parker, Richards, Sherrick, Stokes, Tyler and Wilson—26.

So the Senate refused to concur in said amendment

The question being on concurring in the second House amendment, the yeas and nays were taken, and resulted—yeas 27, nays none, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Benson, Carlisle, Carson, Curtiss, Dungan, Fisher, Forrest, Grove, Howland, Jackson of Perry, Johnston, Joy, Kelley, Krimmel, Marsh, McDonald, Owens, Parker, Richards, Saltzgaber, Sherrick, Stokes, Tyler, Wagener, Williams and Wilson 27.

So the Senate concurred in said second House amendment, and the report of the committee was agreed to.

Mr. Sherrick offered the following joint resolution :

S. J. R. No. 96: *Resolved by the General Assembly of the State of Ohio,* That H. B. No. 894, now on file in the office of the Secretary of State, be returned to the Clerk of the House of Representatives for correct enrollment, and that the Secretary of State is hereby authorized to deliver said act to said clerk as soon as possible.

The question being on the adoption of said joint resolution, the yeas and nays were taken, and resulted—yeas 22, nays none, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beer, Carson, Curtiss, Fisher, Forrest, Grove, How-

land, Jackson of Clinton, Johnston, Joy, Kelley, Marsh, McDonald, Parker, Saltzgaber, Sherrick, Stokes, Tyler, Wagener, Williams and Wilson—22.

So said joint resolution was adopted.

Mr. Marsh submitted the following report:

The select committee of four, from Hamilton county, to whom was referred S. B. No. 377—To provide for the payment of the amounts of assessments in excess of twenty-five per cent. of the value of the lots or lands assessed for an improvement in cities of the first grade of the first class—having had the same under consideration, report it back, and recommend its passage.

THEO. MARSH,
J. M. ARMSTRONG,
W. T. FORREST.

Said bill was ordered to be engrossed and read the third time now, and was then read.

The question being “Shall the bill pass?” the yeas and nays were taken, and resulted—yeas 24, nays none, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Beer, Benson, Carson, Curtiss, Dungan, Fisher, Grove, Howland, Jackson of Perry, Johnston, Kelley, Krimmel, Marsh, McDonald, Owens, Parker, Richards, Sabine, Saltzgaber, Stokes, Tyler, Wagener and Williams—24.

So the bill passed. The title was agreed to.

Mr. Beebe submitted the following report:

The standing committee on Public Printing, to whom was referred S. J. R. No. 82—Directing the Supervisor of Public Printing to omit certain reports from the forthcoming volume of executive documents—having had the same under consideration, report it back, and recommend its adoption.

D. D. BEEBE, J. H. BENSON,
LINDSEY KELLEY, J. C. FISHER.
J. M. ARMSTRONG,

The question being on the adoption of said joint resolution, the yeas and nays were taken, and resulted—yeas 25, nays none, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Beer, Benson, Carlisle, Carson, Curtiss, Fisher, Grove, Howland, Jackson of Clinton, Jackson of Perry, Johnston, Kelley, Krimmel, McDonald, Owens, Parker, Richards, Sabine, Saltzgaber, Stokes, Tyler, Wagener, Williams and Wilson—25.

So the joint resolution was adopted.

Mr. Owens moved that S. B. No. 276 be taken from the table.

Which was agreed to.

The question being “Shall the bill pass?” the yeas and nays were taken, and resulted—yeas 17, nays 8, as follow:

Those who voted in the affirmative were—

Messrs. Beer, Benson, Curtiss, Fisher, Jackson of Clinton, Jackson of Perry, Joy, Kelley, Krimmel, McDonald, Owens, Parker, Sabine, Stokes, Tyler, Wagener and Williams—17.

Those who voted in the negative were—

Messrs. Armstrong, Carson, Forrest, Johnston, Marsh, Richards, Saltzgaber and Wilson—8.

So the bill, having failed to receive a constitutional majority, was lost.

Mr. Saltzgaber submitted the following report:

The standing committee on Salaries and Fees of Public Officers, to whom was referred H. B. No. 952—To regulate the fees and compensation of county auditors, probate judges, clerks of the courts, sheriffs, coroners, treasurers and recorders—having had the same under consideration, report it back without recommendation.

G. M. SALTZGABER, G. W. WILSON,
JOHN H. BENSON, H. SABINE.

Said bill was ordered to be engrossed and read the third time on Tuesday next.

Mr. Owens moved that the vote whereby S. B. No. 276 was lost be reconsidered.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 16, nays 6, as follow:

Those who voted in the affirmative were—

Messrs. Beer, Benson, Curtiss, Fisher, Grove, Jackson of Clinton, Jackson of Perry, Joy, Krimmel, McDonald, Owens, Sabine, Stokes, Tyler, Wagener and Williams—16.

Those who voted in the negative were—

Messrs. Carson, Forrest, Marsh, Richards, Saltzgaber and Wilson—6.

So the motion was agreed to.

On motion of Mr. Owens, said bill was laid on the table.

Mr. Carson submitted the following report:

The standing committee on Common Schools and School Lands, to whom was referred H. B. No. 1025—To allow certain village school districts to have boards of school examiners—having had the same under consideration, report it back without recommendation.

J. M. CARSON, THOS. M. BEER,
D. WAGENER, G. A. GROVE.

Said bill was ordered to be engrossed and read the third time on Wednesday next.

Mr. Carson submitted the following report:

The standing committee on Common Schools and School Lands, to whom was referred H. B. No. 1052—To authorize the Board of Education of the Union School District of St. Mary's, Auglaize county, to levy and assess an additional tax - having had the same under consideration, report it back, and recommend its passage.

J. M. CARSON, THOS. M. BEER,
D. WAGENER, R. G. RICHARDS.
G. A. GROVE,

Said bill was ordered to be engrossed and read the third time now, and was then read.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 19, nays 2, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Benson, Fisher, Grove, Jackson of Perry, Johnston, Joy, Krimmel, Marsh, Owens, Parker, Sabine Saltzgaber, Stokes, Tyler, Wagener, Williams and Wilson—19.

Those who voted in the negative were—

Messrs. Forrest and Howland—2.

So the bill passed. The title was agreed to.

Mr. Forrest submitted the following report:

The standing committee on Judiciary, to whom was referred Substitute for H. B. No. 608—To restrict the limits of the third judicial district; to define the several subdivisions thereof; to form and establish a new district within its original limits; and to abolish the fourth subdivision thereof—having had the same under consideration, report it back, and recommend its passage.

W. T. FORREST,	LYMAN J. JACKSON,
IRVINE DUNGAN,	D. WAGENER.

Said bill was ordered to be engrossed and read the third time on Tuesday next.

Mr. Saltzgaber submitted the following report:

The standing committee on Privileges and Elections, to whom was referred H. B. No. 962—To create two election precincts in the township of Duchouquet, Auglaize county, State of Ohio—having had the same under consideration, report it back, and recommend its passage.

G. M. SALTZGABER,	L. J. JACKSON,
IRVINE DUNGAN,	W. T. FORREST,
R. G. RICHARDS,	J. R. JOHNSTON.

Said bill was ordered to be engrossed and read the third time now, and was then read.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 21, nays 1, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Benson, Carlisle, Carson, Curtiss, Fisher, Grove, Johnston, Kelley, Krimmel, Marsh, Owens, Parker, Richards, Sabine, Saltzgaber, Tyler, Wagener, Williams and Wilson—21.

Mr. Forrest voted in the negative.

So the bill passed. The title was agreed to.

Mr. Grove submitted the following report:

The standing committee on Public Works and Public Lands, to whom was referred S. B. No. 372—Supplementary to an act to provide for the protection of the canals of the State of Ohio, the regulation of the navigation thereof, and for the collection of tolls, passed March 28, 1840, (S. & C., p. 202)—having had the same under consideration, report it back, with the following amendment, and recommend its passage when so amended:

Section 9, line 1, after the word "kind", insert: "nor any chemical or acid offal from any manufactory."

JAMES B. STEEDMAN,	LYMAN J. JACKSON,
G. A. GROVE,	G. M. SALTZGABER.

Said amendment was agreed to, and the bill was ordered to be engrossed and read the third time to-morrow.

Mr. Owens moved to take S. B. No. 276 from the table.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 21, nays 5, as follow:

Those who voted in the affirmative were—

Messrs. Beebe, Beer, Benson, Carlisle, Curtiss, Fisher, Grove, Howland, Jackson of Clinton, Jackson of Perry, Joy, Kelley, Krimmel, McDonald, Owens, Parker, Sabine, Tyler, Wagener, Williams and Wilson—21.

Those who voted in the negative were—

Messrs. Carson, Forrest, Johnston, Marsh and Saltzgaber—5.

So the motion was agreed to.

The question being on the passage of the bill—

Mr. Forrest moved that the further consideration of said bill be postponed until Friday of next week.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 7, nays 21, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Carson, Forrest, Johnston, Marsh, Saltzgaber and Wilson—7.

Those who voted in the negative were—

Messrs. Beebe, Beer, Benson, Carlisle, Curtiss, Fisher, Grove, Howland, Jackson of Clinton, Jackson of Perry, Joy, Kelley, Krimmel, McDonald, Owens, Richards, Sabine, Stokes, Tyler, Wagener and Williams—21.

So the motion was disagreed to.

Mr. Marsh moved that the further consideration of said bill be postponed until Monday next.

Which was disagreed to.

Mr. Forrest moved that the further consideration of said bill be postponed until Tuesday next.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 6, nays 20, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Carson, Forrest, Johnston, Marsh and Saltzgaber—6.

Those who voted in the negative were—

Messrs. Beebe, Beer, Benson, Curtiss, Fisher, Grove, Howland, Jackson of Clinton, Jackson of Perry, Joy, Kelley, Krimmel, McDonald, Owens, Richards, Sabine, Stokes, Tyler, Wagener and Williams—20.

So the motion was disagreed to.

Mr. Forrest moved that the further consideration of said bill be postponed until Wednesday next.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 4, nays 20, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Forrest, Marsh and Saltzgaber—4.

Those who voted in the negative were—

Messrs. Beebe, Beer, Benson, Carlisle, Carson, Curtiss, Fisher, Jackson of Clinton, Jackson of Perry, Johnston, Joy, Kelley, Krimmel, McDonald, Owens, Richards, Sabine, Stokes, Wagener and Williams—20.

So the motion was disagreed to.

Mr. Marsh moved to refer the bill to a select committee of one, with instructions to amend as follows :

At the end of section 1, add: "The provisions of this bill shall not apply to any county containing a city of the first class of the first grade."

Pending which, Mr. Saltzgaber moved that the Senate adjourn.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 8, nays 18, as follow :

Those who voted in the affirmative were—

Messrs. Benson, Carlisle, Carson, Forrest, Jackson of Clinton, Johnston, Kelley and Marsh—8.

Those who voted in the negative were—

Messrs. Armstrong, Beebe, Beer, Curtiss, Fisher, Grove, Howland, Jackson of Perry, Joy, Krimmel, McDonald, Owens, Richards, Sabine, Saltzgaber, Stokes, Tyler and Williams—18.

So the motion was disagreed to.

The question recurring on Mr. Marsh's motion to refer, with instruc-

tions, the yeas and nays were demanded, taken, and resulted—yeas 19, nays 8, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Carson, Curtiss, Dungan, Jackson of Clinton, Jackson of Perry, Joy, Krimmel, Marsh, Owens, Sabine, Stokes, Tyler, Wagener and Williams—19.

Those who voted in the negative were—

Messrs. Fisher, Forrest, Howland, Johnston, Kelley, McDonald, Richards and Saltzgaber—8.

So the motion was agreed to, and Mr. Marsh was appointed such committee, and reported the bill back amended as instructed.

Mr. Owens moved that the vote whereby said motion of Mr. Marsh was agreed to, be reconsidered.

Pending which, Mr. Saltzgaber moved that the Senate adjourn.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 11, nays 14, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Benson, Carlisle, Carson, Dungan, Forrest, Johnston, Marsh, Parker, Saltzgaber and Tyler—11.

Those who voted in the negative were—

Messrs. Beebe, Beer, Curtiss, Fisher, Howland, Jackson of Perry, Joy, Kelley, Krimmel, Owens, Richards, Stokes, Wagener and Williams—14.

So the motion was disagreed to.

The question recurring on Mr. Owens' motion to reconsider—

Mr. Johnston moved that the further consideration of said bill be postponed until to-morrow.

Which was disagreed to.

On demand of Mr. Saltzgaber, a call of the Senate was had.

Twenty-seven Senators answered to their names.

Messrs. Forrest, Grove, Lord, Sherrick and Wilson were absent.

Mr. Forrest moved that the Sergeant-at-Arms be dispatched for absentees.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 8, nays 18, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Carson, Curtiss, Dungan, Forrest, Johnston, Marsh and Saltzgaber—8.

Those who voted in the negative were—

Messrs. Beebe, Benson, Carlisle, Fisher, Howland, Jackson of Clinton, Jackson of Perry, Joy, Kelley, Krimmel, McDonald, Owens, Parker, Richards, Sabine, Stokes, Tyler, Wagener and Williams—18.

So the motion was disagreed to.

Mr. Benson moved that further proceedings under the call be dispensed with.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 20, nays 7, as follow:

Those who voted in the affirmative were—

Messrs. Beebe, Beer, Benson, Carlisle, Curtiss, Fisher, Howland, Jackson of Clinton, Jackson of Perry, Joy, Kelley, Krimmel, Owens, Parker, Richards, Sabine, Stokes, Tyler, Wagener and William—20.

Those who voted in the negative were—

Messrs. Armstrong, Carson, Dungan, Forrest, Johnston, Marsh and Saltzgaber—7.

So the motion was agreed to.

Mr. Tyler moved that said bill be postponed until to-morrow, and made the special order of the hour for 11 o'clock.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 24, nays 4, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Carson, Curtiss, Fisher, Howland, Jackson of Clinton, Jackson of Perry, Johnston, Joy, Kelley, Krimmel, Owens, Parker, Richards, Sabine, Saltzgaber, Stokes, Tyler, Wagener and Williams—24.

Those who voted in the negative were—

Messrs. Dungan, Forrest, Marsh and McDonald—4.

So the motion was agreed to.

Mr. Forrest submitted the following report:

The standing committee on Judiciary, to whom was referred H. B. No. 999—To provide for indexing the land records of Morrow county—having had the same under consideration, report it back, with the following amendments, and recommend its passage when so amended:

Strike out on line 2, of section 1, the word "commissioners," and insert the word "auditor."

Strike out on line 1, of section 3, the word "commissioners," and insert in lieu thereof the word "auditor."

W. T. FORREST,	G. M. SALTZGABER,
IRVINE DUNGAN,	LYMAN J. JACKSON.
D. WAGENER,	

Said amendments were agreed to, and the bill was ordered to be engrossed and read the third time on Tuesday next.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bill, in which the concurrence of the Senate is requested:

Substitute for H. B. No. 566—Mr. Wright—Relating to the election of Electors of President and Vice-President of the United States and members of Congress.

Attest:

L. A. BRUNNER, *Clerk.*

Said bill was read the first time.

Mr. Richards moved that said bill be rejected.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 7, nays 19, as follow:

Those who voted in the affirmative were—

Messrs. Beebe, Beer, Jackson of Clinton, Johnston, Kelley, Richards and Sabine—7.

Those who voted in the negative were—

Messrs. Armstrong, Benson, Carlisle, Carson, Dungan, Fisher, Forrest, Jackson of Perry, Joy, Krimmel, Marsh, McDonald, Owens, Parker, Saltzgaber, Stokes, Tyler, Wagener and Williams—19.

So the motion was disagreed to.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The following bills have been introduced in the House of Representatives, and read the first time :

H. B. No. 1063—Mr. Bloom—To amend sections two and twenty-seven of title three, chapter two, in the code of Ohio.

H. B. No. 1064—Mr. Levering—Supplementary to an act entitled an act further providing for converting toll-roads into free roads, passed May 3, 1873, (S., p. 3104.)

H. B. No. 1065—Mr. Bloom—To reduce the salaries of certain officers therein named.

H. B. No. 1066—Mr. Ellitot—To prevent the destruction or injury of posters, bills, notices, etc.

Attest :

L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The House of Representatives has passed the following bills, in which the concurrence of the Senate is requested :

H. B. No. 869—Mr. Foster—To amend section five, chapter fifteen, division eight of an act entitled an act to amend, revise and consolidate the statutes relating to municipal corporations, to be known as title twelve, part one of the act to revise and consolidate the general statutes of Ohio, passed and took effect May 14, 1878, (Vol. 75, 395.)

H. B. No. 981—Mr. Eylar—To reduce the fees and salaries of county officers in certain cases.

H. B. No. 1063—Mr. Bloom—To amend sections two and twenty-seven of title three, chapter two, in the code of Ohio.

H. B. No. 994—Mr. Levering—For the relief of Charles Shedd.

H. B. No. 933—Mr. Baker—To reduce the fees of county officers.

Attest :

L. A. BRUNNER, *Clerk.*

Mr. Johnston submitted the following report :

The joint committee on Enrollment has examined, and found correctly enrolled, the following joint resolution :

H. J. R. No. 126—Directing the Clerks of the House and Senate to prepare a duplicate engrossed copy of H. B. No. 610, by Mr. Van Cleaf.

J. R. JOHNSTON,	A. D. MARSH,
R. G. RICHARDS,	F. M. CARTER,
C. F. KRIMMEL,	E. S. PERKINS,
WM. JESSUP,	J. W. WASHBURN.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The House of Representatives accedes to the request of the Senate, and has appointed Messrs. Brown of Putnam, Rimer and Herrick as a committee of Conference, to consider the differences existing between the two Houses on H. B. No. 593, by Mr. Brown of Putnam.

Attest :

L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has agreed to the report of the committee of Conference on—

H. B. No. 895—Mr. Dodds To revise and codify the laws relating to the organization and maintenance of the militia of Ohio.

Attest:

L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has appointed Messrs. Worley, Wright and Greene a committee of Conference to consider the differences existing between the two Houses on S. B. No. 203, by Mr. Krimmel.

Attest:

L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has adopted the following joint resolution, in which the concurrence of the Senate is requested:

H. J. R. No. 124—Mr. Parker—Directing the Treasurer of State to turn over a safe in his office to the Warden of the Ohio Penitentiary.

Attest:

L. A. BRUNNER, *Clerk.*

Mr. Saltzgaber moved that said joint resolution be referred to the committee on Penitentiary.

Which was agreed to.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives insists on its amendments to—

S. B. No. 358—Mr. Benson—To amend section thirty-five of an act entitled an act to amend, revise and consolidate the statutes relating to crimes and offenses, passed April 10, 1878—and requests the appointment of a committee of Conference.

Attest:

L. A. BRUNNER, *Clerk.*

Mr. Fisher moved that said message be laid on the table.

Which was agreed to.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives insists on its amendments Nos. 1, 3, 5, 6, 7, 9, 32, 49, 50, 51, 54, 61 and 66 to S. B. No. 271, by Mr. Lord—and requests the appointment of a committee of Conference.

Attest:

L. A. BRUNNER, *Clerk.*

On motion of Mr. Curtiss, the Senate acceded to the request of the

Friday, May 30, 1879.

House, and the President appointed Messrs. Jackson of Perry, Owens and Curtiss as such committee on part of the Senate.

Mr. Forrest submitted the following report:

The Conference committee, to whom was referred the matters of difference between the two Houses on H. B. No. 610, having had the same under consideration, recommend that the House agree to Senate amendment inserting section 5, page 167.

W. T. FORREST,
LINDSEY KELLEY,
WM. H. STOKES,

Committee on part of the Senate.

JAMES A. NORTON,
L. A. PALMER,
MILO G. DODDS,

Committee on part of the House.

Said report was agreed to.

Mr. Tyler moved that the Senate adjourn.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 23, nays 3, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Carson, Curtiss, Fisher, Howland, Jackson of Clinton, Jackson of Perry, Johnston, Joy, Kelley, Marsh, McDonald, Owens, Parker, Richards, Stokes, Tyler, Wagener and Williams—23.

Those who voted in the negative were—

Messrs. Dungan, Forrest and Saltzgaber—3.

So the motion was agreed to, and the Senate adjourned.

Attest:

ALLEN O. MYERS, *Clerk.*

FRIDAY, May 30, 1879— 10 O'CLOCK A.M.

The Senate met pursuant to adjournment.

Prayer by Rev. W. E. Moore.

The Journal was read and approved.

Leave of absence was asked and obtained for Mr. Wagener until Monday next.

Mr. Beebe presented the remonstrance of Messrs. Wolf and Church and 220 other citizens of Akron, Summit county, against H. B. No. 1003.

Which was referred to the committee on Railroads, Telegraphs and Turnpikes.

Mr. Lord presented the remonstrance of J. L. Baldwin and 3447 other citizens of Hamilton county, against the passage of H. B. No. 1003.

Which was referred to the committee on Railroads, Telegraphs and Turnpikes.

Mr. Curtiss presented the remonstrance of Louis Hansheer and 81 other citizens of Cleveland, Cuyahoga county, against the passage of H. B. No. 1003.

Which was referred to the committee on Railroads, Telegraphs and Turnpikes.

Mr. Beebe presented the petition of L. J. McMurray and 43 other citizens of Clinton, Summit county, asking for the passage of H. B. No. 1003, relating to scalpers.

Which was referred to the committee on Railroads, Telegraphs and Turnpikes.

Mr. Beebe presented the petition of R. Bosworth and 12 other citizens of Hudson, Summit county, asking for the passage of H. B. No. 1003.

Which was referred to the committee on Railroads, Telegraphs and Turnpikes.

Mr. Grove presented the petition of John L. Miller, Simon Gebhart and 110 other citizens of the city of Dayton, county of Montgomery, in favor of the passage of H. B. No. 1003.

Which was referred to the committee on Railroads, Telegraphs and Turnpikes.

Mr. Stokes presented the remonstrance of M. D. Egbert and 104 other citizens of Warren county, against the passage of H. B. No. 1003, or any other bill restricting the sale of railroad tickets by responsible persons.

Which was referred to the committee on Railroads, Telegraphs and Turnpikes.

Mr. Richards presented the petition of Thomas C. Hunter and 1206 other citizens of Jefferson county, for the passage of H. B. No. 1003, against the illegitimate traffic in tickets.

Which was referred to the committee on Railroads, Telegraphs and Turnpikes.

Mr. Curtiss presented the petition of A. B. Hough and 472 other citizens of Cleveland, Cuyahoga county, asking for the passage of H. B. No. 1003, abolishing the vocation of railroad scalpers.

Which was referred to the committee on Railroads, Telegraphs and Turnpikes.

Mr. Dungan presented the remonstrance of Stanton & Balmert and 77 other firms and citizens of Scioto county, against the abandonment of the Hocking and Ohio canals.

Which was referred to the committee on Public Works.

Mr. Owens presented the petition of A. McCamish and 15 other citizens of Delaware and Crawford counties, praying for passage of H. B. No. 1003.

Which was referred to the committee on Railroads, Telegraphs and Turnpikes.

Mr. Sabine presented the remonstrance of Joseph Chambers and 73 other citizens of Logan county, against the passage of H. B. No. 1003, restricting sale of railroad tickets by responsible parties.

Which was referred to the committee on Railroads, Telegraphs and Turnpikes.

Mr. Fisher presented the petition of W. A. Bovey and 370 other citizens of Tuscarawas county, asking for the passage of a law to protect railroad companies against illegitimate traffic in railroad tickets.

Which was referred to the committee on Railroads, Telegraphs and Turnpikes.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The House of Representatives has adopted the following joint resolution, in which the concurrence of the Senate is requested :

H. J. R. No. 89—Mr. Sawyer—As to draining certain basins in Auglaize county, Ohio.

Attest :

L. A. BRUNNER, *Clerk*.

On motion of Mr. Curtiss, said joint resolution was referred to the committee on Public Works and Public Lands.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The House of Representatives insists on its amendments Nos. 3, 4, 28, 33 and 46 to S. B. No. 256, by Mr. Dungan, and asks for the appointment of a committee of Conference.

Attest :

L. A. BRUNNER, *Clerk*.

On motion of Mr. Fisher, the Senate acceded to the request of the House, and the President appointed Messrs. Fisher, Beebe and Williams as such committee on part of the Senate.

Bills were read the second time and referred, as follows :

H. B. No. 994—Mr. Levering—For the relief of Charles Shedd.

Committee on Claims.

H. B. No. 981—Mr. Eylar—To reduce the fees and salaries of county officers in certain counties.

Committee on Finance.

H. B. No. 869—Mr. Foster—To amend section five, chapter fifteen, division eight of an act entitled an act to amend, revise and consolidate the statutes relating to municipal corporations, to be known as title twelve, part one of the act to revise and consolidate the general statutes of Ohio, passed and took effect May 14, 1878, (Vol. 75, 395.)

Committee on Municipal Corporations.

H. B. No. 1063—Mr. Bloom—To amend sections two and twenty-seven, of title three, chapter two, in the code of Ohio.

Committee on Public Printing.

Substitute for H. B. No. 566—Mr. Wright—Relating to the election of Electors of President and Vice President of the United States and members of Congress.

Committee on Privileges and Elections.

H. B. No. 933—Mr. Baker—To reduce the fees of county officers.

Committee on Finance.

S. B. No. 381—Mr. Curtiss—To regulate the taking of trout and salmon in the waters of the State of Ohio.

Committee on Fish Culture and Game.

Mr. Beebe presented the petition of W. A. Hanford and 82 other citizens of Cuyahoga Falls, Summit county, asking for the passage of H. B. No. 1003.

Which was referred to the committee on Railroads, Telegraphs and Turnpikes.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The House of Representatives has agreed to the report of the committee of Conference on—

H. B. No. 610—Mr. Van Cleaf Revising and consolidating the statutes relating to the executive department.

Attest:

L. A. BRUNNER, *Clerk*.

Mr. Grove submitted the following report:

The standing committee on Benevolent Institutions, to whom was referred the nomination of David A. Houk, of Montgomery county, as Trustee of Dayton Asylum for Insane—having had the same under consideration, report it back, and recommend his confirmation.

G. A. GROVE,	C. F. KRIMMEL,
GEO. P. TYLER,	H. W. CURTISS.
B. W. CARLISLE,	

The question being on advising and consenting to said appointment, the yeas and nays were ordered, taken, and resulted—yeas 22, nays none, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carson, Curtiss, Fisher, Grove, Howland, Jackson of Perry, Joy, Kelley, Krimmel, Lord, McDonald, Owens, Parker, Sabine, Stokes, Tyler, Wagener and Williams—22.

So the Senate advised and consented to said appointment.

On motion of Mr. Saltzgaber, Mr. Jackson of Clinton was relieved from the Conference committee on H. B. No. 593, and Mr. Sabine was appointed in his stead.

Mr. Krimmel submitted the following report:

The standing committee on Benevolent Institutions, to whom was referred the nomination of John Greenleaf, of Franklin county, as Trustee for Columbus Asylum for Insane, having had the same under consideration, report it back, and recommend his confirmation.

C. F. KRIMMEL,	GEO. P. TYLER,
G. A. GROVE,	B. W. CARLISLE.

The question being on advising and consenting to said appointment, the yeas and nays were ordered, taken, and resulted—yeas 21, nays none, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carson, Dungan, Fisher, Grove, Howland, Johnston, Joy, Kelley, Krimmel, Lord, McDonald, Owens, Parker, Stokes, Tyler, Wagener and Williams—21.

So the Senate advised and consented to said appointment.

H. B. No. 1030—Mr. Achauer—To amend section twenty-five, of chapter eleven, of title 7, (public ways) of part second—was read the third time.

The question being “Shall the bill pass?” the yeas and nays were taken, and resulted—yeas 24, nays none, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carson, Curtiss, Dungan, Fisher, Grove, Howland, Jackson of Perry, Johnston, Kelley, Krimmel, Lord, Marsh, Owens, Parker, Sabine, Saltzgaber, Stokes Tyler, Wagener and Williams—24.

So the bill passed. The title was agreed to.

The Senate then proceeded to the special order of the hour, viz.:

S. B. No. 276—Mr. Owens—To amend an act entitled an act to regulate the letting of contracts for the doing of public work, and the better protection of mechanics, passed May 5, 1877, (O. L., Vol. 74, p. 186).

The question being on Mr. Owens' motion to reconsider the vote whereby Mr. Marsh's motion to refer, with instructions, was agreed to—

On demand of Mr. Owens, a call of the Senate was had.

Twenty-seven Senators answered to their names.

Messrs. Carlisle, Richards, Sherrick and Wilson were absent.

On motion of Mr. Owens, further proceedings under the call were dispensed with.

The question recurring on Mr. Owens' motion to reconsider, the yeas and nays were demanded, taken, and resulted—yeas 13, nays 7, as follow :

Those who voted in the affirmative were

Messrs. Beebe, Beer, Benson, Curtiss, Fisher, Jackson of Perry, Joy, Krimmel, Lord, Owens, Sabine, Wagener and Williams—13.

Those who voted in the negative were—

Messrs. Armstrong, Carson, Dungan, Forrest, Johnston, Marsh and Saltzgaber—7.

So the motion was agreed to.

The question then recurring on Mr. Marsh's motion, to refer the bill to a select committee of one, with instructions to amend, the yeas and nays were demanded, taken, and resulted—yeas 7, nays 12, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Carlisle, Carson, Dungan, Marsh, Saltzgaber and Stokes—7.

Those who voted in the negative were—

Messrs. Beebe, Beer, Benson, Curtiss, Fisher, Howland, Joy, McDonald, Owens, Richards, Wagener and Williams—12.

So the motion was disagreed to.

Mr. Saltzgaber moved to refer the bill to a select committee of one, with instructions to amend as follows :

After the word "law," in line 34, add the following: "but in determining whether a bid, as a whole, is less than the aggregate amount of the lowest and best bids in the several proposals, such board or officer shall add to the lowest bids made on each item, an estimate made by a competent person on those distinct items, on which no bid is actually received."

Which was agreed to, and Mr. Saltzgaber was appointed such committee, and reported the bill back amended as instructed.

Mr. Owens moved that the bill be laid on the table.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 18, nays 7, as follow :

Those who voted in the affirmative were—

Messrs. Beebe, Beer, Carlisle, Curtiss, Fisher, Forrest, Howland, Johnston, Joy, Kelley, Krimmel, Lord, McDonald, Owens, Sabine, Stokes, Tyler and Williams—18.

Those who voted in the negative were—

Messrs. Armstrong, Carson, Dungan, Jackson of Perry, Marsh, Parker and Saltzgaber—7.

So the motion was agreed to.

On motion of Mr. Saltzgaber, Mr. Seitz was relieved from the Conference committee on H. B. No. 837, and Mr. Forrest was appointed in his stead.

Mr. Joy submitted the following report:

The standing committee on Penitentiary, to whom was referred H. J. R. No. 124—Directing the Treasurer to turn over old safe in his office

to the Warden of the Ohio Penitentiary—having had the same under consideration, report it back, and recommend its adoption.

DAVID JOY, WM. H. STOKES,
THEO. MARSH, H. SABINE,
H. W. CURTISS, GEO. P. TYLER.

The question being on the adoption of said joint resolution, the yeas and nays were taken, and resulted—yeas 23, nays none, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Carson, Curtiss, Dungan, Fisher, Howland, Jackson of Perry, Johnston, Joy, Kelley, Krimmel, Lord, Marsh, McDonald, Owens, Parker, Sabine, Stokes and Williams—23.

So said joint resolution was adopted.

Mr. Beer submitted the following report :

The standing committee on Common Schools and School Lands, to whom was referred H. B. No. 751—To transfer territory for school purposes—having had the same under consideration, report it back, and recommend its passage.

R. G. RICHARDS, THOS. M. BEER,
G. A. GROVE, D. WAGENER.

Said bill was ordered to be engrossed and read the third time on Tuesday next.

Mr. Dungan submitted the following report :

The joint committee on Enrollment has examined, and found correctly enrolled, the following bills :

H. B. No. 925—To authorize the establishing of a Children's Home in Meigs county.

H. B. No. 978—Relating to the improvement of City Hall of Xenia, Greene county, Ohio.

H. B. No. 1031—To authorize the Treasurer of Lorain county to deposit funds of the county in banks of the county during the re-building of the Court-house.

H. B. No. 1022—To provide for the repair of the steamboat-landing, and a road or street in the town of California, Anderson township, Hamilton county.

R. G. RICHARDS, IRVINE DUNGAN,
J. W. WASHBURN, C. F. KRIMMEL,
E. S. PERKINS, WM. JESSUP.
F. M. CARTER,

Mr. Marsh submitted the following report :

The standing committee on Municipal Corporations, to whom was referred S. B. No. 379 To authorize the Board of County Commissioners of Hamilton county to maintain, repair, protect and preserve Mitchell Avenue Tunnel, from the bridge fund of said county, (supplementary to an act to authorize the Board of County Commissioners of Hamilton county to extend Mitchell avenue under the Miami and Erie canal, and to levy a tax to defray the expense thereof, passed April 28, 1877, (Vol. 74, O. L., p. 484)—having had the same under consideration, report it back, and recommend its passage.

THEO. MARSH, G. M. SALTZGABER,
G. A. GROVE, LYMAN J. JACKSON.

Said bill was ordered to be engrossed and read the third time tomorrow.

Mr. Dungan submitted the following report:

The standing committee on Corporations other than Municipal, to whom was referred H. B. No. 1056—To authorize the Commissioners of Pike county to issue bonds for bridge purposes—having had the same under consideration, report it back, and recommend its passage.

IRVINE DUNGAN,	J. M. ARMSTRONG,
LYMAN J. JACKSON,	GEO. P. TYLER.
J. R. JOHNSTON,	

Said bill was ordered to be engrossed and read the third time tomorrow.

Mr. Carlisle submitted the following report:

The standing committee on Roads and Highways, to whom was referred H. B. No. 732—To amend section eleven, of chapter five, title thirteen, taxation, (O. L., Vol. 75, p. 478)—having had the same under consideration, report it back, and recommend its indefinite postponement.

B. W. CARLISLE,	J. B. WILLIAMS,
JOHN C. McDONALD,	C. S. PARKER,
JOHN H. BENSON,	LINDSEY KELLEY.

Said report was laid on the table.

Mr. Stokes submitted the following report:

The standing committee on Agriculture, to whom was referred H. B. No. 1016 To authorize the Commissioners of Hardin county to pay the indebtedness of the Agricultural Society of said county—having had the same under consideration, report it back, and recommend its passage.

W. H. STOKES,	B. W. CARLISLE,
J. B. WILLIAMS,	J. M. CARSON,
JOHN H. BENSON,	H. SABINE.

Said bill was ordered to be engrossed and read the third time on Tuesday next.

Mr. Carson submitted the following report:

The committee of Conference, to whom were referred the matters of difference between the two Houses on S. B. No. 203, having had the same under consideration, recommend that the Senate agree to House amendments 4, 13, 25 and 26; and that the House recede from amendments 3, 7, 12, 14, 17 and 24; that section 9, chapter 6, pp. 29 and 30, be amended to read as follows:

SEC. 9. Such estimate and levy shall not exceed in the city of Cincinnati, three and one-fourth mills, but the board of education in said city may levy one mill additional for every five thousand pupils over and above twenty-five thousand enrolled in the public schools of said city, which levy, however, shall in no case exceed five mills; in the city of Cleveland, four and one-half mills; and in all other districts, seven mills on each dollar of valuation of taxable property.

That section 8, chapter 11, page 68, be amended by substituting "five" for "ten", in line 3, and inserting after the word "each", in line 4, the words "city, village, special and township."

DANIEL WORLEY,
I. B. WRIGHT,
J. W. GREENE,

Committee on part of the House.

J. M. CARSON,
C. S. PARKER,
R. G. RICHARDS,

Committee on part of the Senate.

On motion of Mr. Owens, said report was laid on the table.

Mr. Owens moved that for the purpose of attending the ceremonies of decorating the graves of the soldiers, the Senate adjourn.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 20, nays 6, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Curtiss, Fisher, Howland, Jackson of Perry, Johnston, Joy, Kelley, Krimmel, Lord, Marsh, Owens, Parker, Sabine, Stokes and Williams—20.

Those who voted in the negative were—

Messrs. Carson, Dungan, Forrest, Grove, Saltzgaber and Tyler—6.

So the motion was agreed to, and the Senate adjourned.

Attest:

ALLEN O. MYERS, *Clerk.*

SATURDAY, May 31, 1879—10 O'CLOCK A.M.

The Senate met pursuant to adjournment.

The Journal was read and approved.

Leave of absence was asked and obtained for Mr. Tyler until Monday next.

Mr. Benson presented the remonstrance of J. C. Ward and 100 other citizens of Franklin county, against the passage of H. B. No. 1003.

Which was referred to the committee on Railroads, Telegraphs and Turnpikes.

Mr. Dungan presented the remonstrance of Fred. Reniger, Jr., and 182 other citizens of Scioto county, against H. B. No. 1003, or any bill depriving the owner of a railroad ticket from selling it.

Which was referred to the committee on Railroads, Telegraphs and Turnpikes.

Mr. Dungan presented the remonstrance of Uri Tracy and 170 other citizens and firms of Scioto county, against H. B. No. 1003, or any bill interfering with the right of ownership or disposal of railroad tickets.

Which was referred to the committee on Railroads, Telegraphs and Turnpikes.

Mr. Dungan presented the remonstrance of James Odell and 177 other citizens of Pike county, against the abandonment of the Hocking and Ohio canals.

Which was referred to the committee on Public Works.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has appointed Messrs. Hostetter, Mackey and Dempcy a committee of Conference on S. B. No. 256, by Mr. Dungan.

Attest:

L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has appointed Messrs. Booth, Wright and Palmer as a committee of Conference on the part of the House, to

consider the differences existing between the two Houses on S. B. No. 271, by Mr. Lord.

Attest:

L. A. BRUNNER, *Clerk*.

H. B. No. 1056—Mr. Washburn—To authorize the Commissioners of Pike county to issue bonds for bridge purposes—was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 21, nays none, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Carson, Curtiss, Grove, Howland, Jackson of Perry, Johnston, Kelley, Krimmel, Lord, Marsh, Owens, Parker, Richards, Stokes, Williams and Wilson—21.

So the bill passed. The title was agreed to.

H. B. No. 1027—Mr. Greene To amend the first section of an act entitled an act to enable the Commissioners of Clarke, Franklin, Miami, Pickaway and Pike counties to purchase toll-roads and convert them into free roads was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted yeas 19, nays 1, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Benson, Carson, Curtiss, Dungan, Grove, Howland, Jackson of Perry, Johnston, Kelley, Krimmel, Lord, Owens, Parker, Richards, Stokes, Williams and Wilson—19.

Mr. Beer voted in the negative.

So the bill passed. The title was agreed to.

H. B. No. 987—Mr. Haley—To provide for the more effectual drainage of Hog Creek Marsh, in Hardin county — was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 23, nays none, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Carson, Curtiss, Dungan, Grove, Howland, Jackson of Perry, Johnston, Kelley, Krimmel, Lord, Marsh, Owens, Parker, Richards, Sabine, Stokes, Williams and Wilson—23.

So the bill passed. The title was agreed to.

H. B. No. 1055—Mr. Dow—To authorize the Trustees of Zane township, Logan county, Ohio, to sell certain real estate, and lease part of new Township Hall—was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 23, nays none, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Carson, Curtiss, Dungan, Fisher, Grove, Howland, Jackson of Perry, Johnston, Kelley, Krimmel, Lord, Marsh, Owens, Parker, Sabine, Stokes, Williams and Wilson—23.

So the bill passed. The title was agreed to.

H. B. No. 397—Mr. Dow—To punish the placing of obstructions in the Miami river, in Logan county, and to authorize the removal of the same therefrom—was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 19, nays none, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Benson, Carlisle, Carson, Curtiss, Dungan,

Fisher, Grove, Howland, Kelley, Krimmel, Lord, Marsh, Owens, Sabine, Stokes, Williams and Wilson - 19.

So the bill passed. The title was agreed to.

S. B. No. 372—Mr. Grove—Supplementary to an act to provide for the protection of the canals of the State of Ohio, the regulation of the navigation thereof, and for the collection of tolls, passed March 28, 1840, (S. & C., 202) was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 19, nays none, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Carson, Curtiss, Dungan, Grove, Howland, Kelley, Lord, Marsh, Owens, Parker, Richards, Stokes, Williams and Wilson - 19.

So the bill passed. The title was agreed to.

S. B. No. 379—Mr. Lord—To authorize the Board of County Commissioners of Hamilton county to maintain, repair, protect, and preserve Mitchell Avenue Tunnel from the bridge fund of said county, supplementary to an act to authorize the Board of County Commissioners of Hamilton county to extend Mitchell avenue under the Miami and Erie canal, and to levy a tax to defray the expense thereof, passed April 28, 1877, (Vol. 74, O. L., p. 484)—was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 22, nays none, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Carson, Curtiss, Dungan, Fisher, Grove, Howland, Jackson of Perry, Johnston, Kelley, Lord, Marsh, Owens, Richards, Sabine, Stokes, Williams and Wilson - 22.

So the bill passed. The title was agreed to.

MESSAGE FROM THE GOVERNOR.

THE STATE OF OHIO, EXECUTIVE DEPARTMENT,

COLUMBUS, 30th day of May, 1879.

To the Senate:

I have the honor to nominate, and by and with the advice and consent of the Senate, appoint J. H. Wade, of Cleveland, Cuyahoga county, to be a Trustee of the Cleveland Asylum for the Insane, for the term of five years, from April 4, 1879, vice Hon. Jabez W. Fitch, whose term has expired.

Very respectfully,

RICHARD M. BISHOP

On motion, said communication was referred to the committee on Benevolent Institutions.

MESSAGE FROM THE GOVERNOR.

THE STATE OF OHIO, EXECUTIVE DEPARTMENT,

COLUMBUS, 30th day of May, 1879.

To the Senate:

I have the honor to nominate, and by and with the advice and consent

Saturday, May 31, 1879.

of the Senate, appoint Joseph Falkenbach, of Columbus, Franklin county, to be a Trustee of the Institution for the Education of the Blind, for the term of five years, from May 13, 1879.

Very respectfully,

RICHARD M. BISHOP.

On motion, said communication was referred to the committee on Benevolent Institutions.

MESSAGE FROM THE GOVERNOR.

THE STATE OF OHIO, EXECUTIVE DEPARTMENT,

COLUMBUS, 30th day of May, 1879.

To the Senate:

I have the honor to nominate, and by and with the advice and consent of the Senate, appoint Jacob Rohrheimer, of Cleveland, Cuyahoga county, to be a Trustee of the Institution for the Education of the Deaf and Dumb, for the term of five years, from May 13, 1879.

Very respectfully,

RICHARD M. BISHOP.

On motion, said communication was referred to the committee on Benevolent Institutions.

Mr. Marsh submitted the following report:

The standing committee on Municipal Corporations, to whom was referred H. B. No. 924 To amend the act of May 14, 1878, entitled an act to amend, revise and consolidate the statutes relating to municipal corporations, to be known as title twelve, part one of the act to revise and consolidate the general statutes of Ohio—having had the same under consideration, report it back, and recommend its passage.

THEO. MARSH,

R. G. RICHARDS,

G. A. GROVE,

G. W. WILSON.

LYMAN J. JACKSON,

Said bill was ordered to be engrossed and read the third time now, and was then read.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 20, nays none, as follow:

Those who voted in the affirmative were --

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Carson, Curtiss, Dungan, Fisher, Grove, Jackson of Perry, Johnston, Kelley, Marsh, Owens, Parker, Richards, Stokes, Williams and Wilson—20.

So the bill passed. The title was agreed to.

Mr. Benson submitted the following report:

The standing committee on Public Printing, to whom was referred S. J. R. No. 93—Relating to adjournment—having had the same under consideration, report it back, with the following amendment, and recommend its adoption when so amended:

In line 3, strike out the words "Monday, June 2d," and insert: "Tuesday, June 10th."

J. H. BENSON,

D. D. BEEBE,

LINDSEY KELLEY,

J. M. CARSON.

J. M. ARMSTRONG,

Mr. Owens moved that said resolution and report be laid on the table. On which motion the yeas and nays were demanded, taken, and resulted—yeas 7, nays 11, as follow :

Those who voted in the affirmative were—

Messrs. Beebe, Beer, Curtiss, Howland, Jackson of Perry, Lord and Owens—7.

Those who voted in the negative were—

Messrs. Armstrong, Carlisle, Carson, Dungan, Fisher, Forrest, Grove, Johnston, Krimmel, Richards and Wilson—11.

So said motion was disagreed to.

The question being on agreeing to the amendment reported to said joint resolution by the committee—

Mr. Curtiss moved that the joint resolution and pending amendment be referred to the Senate members of the joint committee on Consolidated Laws.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 11, nays 15, as follow :

Those who voted in the affirmative were—

Messrs. Beebe, Beer, Benson, Curtiss, Johnston, Joy, Lord, Marsh, Owens, Sabine and Williams—11.

Those who voted in the negative were—

Messrs. Armstrong, Carlisle, Carson, Dungan, Fisher, Forrest, Grove, Howland, Jackson of Perry, Krimmel, Parker, Richards, Saltzgaber, Stokes and Wilson—15.

So the motion was disagreed to.

The question recurring on agreeing to the amendment—

The same was agreed to.

The question then being on the adoption of the joint resolution, as amended, the yeas and nays were ordered, taken, and resulted—yeas 21, nays 4, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Carlisle, Carson, Curtiss, Dungan, Fisher, Forrest, Grove, Howland, Johnston, Kelley, Krimmel, Marsh, Parker, Richards, Sabine, Saltzgaber, Stokes and Wilson—21.

Those who voted in the negative were—

Messrs. Benson, Jackson of Perry, Lord and Owens—4.

So the joint resolution was adopted.

Mr. Marsh submitted the following report :

The standing committee on Municipal Corporations, to whom was referred H. B. No. 836—To amend sections twelve and thirteen, of chapter four, division seven of an act entitled an act to amend, revise and consolidate the statutes relating to municipal corporations, to be known as title twelve, part one of the act to revise and consolidate the general statutes of Ohio, passed May 14, 1878, (75 Vol., O. L., p. 161)—having had the same under consideration, report it back, and recommend its passage.

THEO. MARSH,

R. G. RICHARDS,

LYMAN J. JACKSON,

G. A. GROVE.

Said bill was ordered to be engrossed and read the third time on Tuesday next.

Mr. Fisher submitted the following report :

The standing committee on Public Printing, to whom was referred H. B. No. 1063—To amend sections two and twenty-seven, of title three,

chapter two, in the Code of Ohio—having had the same under consideration, report it back with the recommendation that it be passed

J. C. FISHER,	D. D. BEEBE,
J. M. ARMSTRONG,	J. H. BENSON,
LINDSEY KELLEY,	J. M. CARSON.

Said bill was ordered to be engrossed and read the third time on Monday next.

Mr. Fisher submitted the following report:

The standing committee on Public Printing, to whom was referred H. J. R. No. 120—Relative to binding of Secretary of State's Report in muslin—having had the same under consideration, report it back, and recommend its adoption.

J. M. ARMSTRONG,	J. C. FISHER,
LINDSEY KELLEY,	D. D. BEEBE.
JOHN H. BENSON,	

The question being on the adoption of said joint resolution, the yeas and nays were ordered, taken, and resulted yeas 22, nays none, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Carson, Curtiss, Dungan, Fisher, Forrest, Grove, Howland, Johnston, Joy, Kelley, Krimmel, Lord, Marsh, Owens, Richards, Stokes and Wilson 22.

So said joint resolution was adopted.

Mr. Carlisle submitted the following report:

The standing committee on Roads and Highways, to whom was referred Substitute for H. B. No. 743 — To authorize the Trustees of Clinton township, Seneca county, Ohio, to levy a tax to macadamize and improve the roads and highways in said township having had the same under consideration, report it back, with the following amendment, and recommend its passage when so amended:

In line 4, after the word "year," insert: "for a term of five years."

C. S. PARKER,	J. H. BENSON,
B. W. CARLISLE,	J. B. WILLIAMS,
LINDSEY KELLEY,	

Said amendment was agreed to, and the bill was ordered to be engrossed and read the third time on Monday next.

Mr. Fisher submitted the following report:

The committee of Conference, to whom was referred the matters of difference between the two Houses on S. B. No. 256, having had the same under consideration, recommend that the Senate concur in House amendment No. 28; and they further recommend that the House recede from House amendments Nos. 3, 4, 33 and 46.

J. C. FISHER,
J. B. WILLIAMS,

Committee on part of the Senate.

R. MACKEY,
M. L. DEMPCY,
S. A. HOSTETTER,

Committee on part of the House.

The question being on agreeing to said report, the yeas and nays were ordered, taken, and resulted—yeas 22, nays none, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Benson, Carlisle, Carson, Curtiss, Dungan, Fisher, Forrest, Grove, Howland, Jackson of Perry, Johnston, Kelley, Krimmel, Lord, Marsh, Owens, Parker, Richards, Saltzgaber, Stokes and Wilson—22.

So said report was agreed to.

Mr. Carson moved that the report of the Conference committee on S. B. No. 203 be taken from the table.

Which was agreed to.

The question being on agreeing to said report, the yeas and nays were ordered, taken, and resulted—yeas 20, nays none, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Carlisle, Carson, Dungan, Fisher, Forrest, Grove, Howland, Johnston, Kelley, Marsh, Owens, Parker, Richards, Saltzgaber, Stokes, Williams and Wilson—20.

So said report was agreed to.

Mr. Forrest moved that the vote whereby said report was agreed to be reconsidered.

Which was agreed to.

Mr. Forrest moved that said bill be referred to the joint committee on Consolidated Laws.

Mr. Carson moved to amend said motion by adding, that the following sections be also referred to said committee with said bill, with instructions to insert them in said bill:

SEC. 16. The board of each district may make and enforce such rules and regulations to secure the vaccination of, and to prevent the spread of small-pox among, the pupils attending or eligible to attend the schools of the district, as in its opinion the safety and interest of the public require; and the boards of health and councils of municipal corporations, and the trustees of townships, shall, on application of the board of education of the district, provide at the public expense, without delay, the means of vaccination to such pupils as are not provided therewith by their parents or guardians, (69 Vol., 22, § 1).

SEC. 10. The board of education of the city may, upon the application of said board of directors, assess and levy a tax on the taxable property of the city, not exceeding one-tenth of one mill on the dollar valuation thereof, to be applied by the board of directors to the support of such university, college, or institution; and the board of education shall also assess and levy, annually, not less than three-hundredths nor more than five-hundredths of one mill on the dollar of such valuation, for the establishment and maintenance of an astronomical observatory, in connection with such university, college, or institution, the proceeds of which shall be paid to the board of directors, and applied by them for said purpose exclusively, (67 Vol., 86, § 5; 75 Vol., 133, § 1.)

Which was agreed to.

The motion, as amended, was then agreed to.

Mr. Forrest submitted the following report:

The committee of Conference, to whom was referred the matters of difference between the two Houses on H. B. No. 837—Police Regulations—having had the same under consideration, recommend:

1. That Senate amendment upon page 6, section 13, line 1, be amended

so as to read: insert after "owner," the words "or owners"; also strike out "an," and insert "any"; and the House concur therein.

2. That the Senate recede from amendment on page 6, section 14, line 1.

3. That the House concur in amendment on page 16, section 1.

4. That the Senate recede on page 20, section 10.

5. That the House concur on page 33, section 3.

6. That the Senate recede on page 40, section 21 $\frac{1}{2}$.

7. That the Senate recede on page 42, section 27.

8. That the House and Senate concur after amending, by striking out section 10, and insert:

SEC. 10. The mayor shall, upon the conviction of any such person of a violation of any of the provisions of this chapter, revoke his liscence.

G. M. SALTZGABER,

W. T. FORREST,

Committee on part of the Senate.

A. J. SWAIM,

J. W. BULL,

P. HITCHCOCK,

Committee on part of the House.

Pending the consideration of which, on motion of Mr. Marsh, the Senate took a recess until 2 o'clock P.M.

TWO O'CLOCK P.M.

When the Senate took a recess, it had under consideration the report of the committee of Conference on H. B. No 837.

The question being on agreeing to said report, the yeas and nays were ordered, taken, and resulted—yeas 20, nays none, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Beer, Benson, Carson, Curtiss, Dungan, Fisher, Forrest, Grove, Howland, Jackson of Perry, Johnston, Joy, Kelley, Krimmel, Lord, Owens, Saltzgaber, Stokes and Williams—20.

So said report was agreed to.

Mr. Forrest moved that the vote whereby the report of the Conference committee on H. B. No. 837 was agreed to, be reconsidered.

Which was agreed to.

On motion of Mr. Forrest, said bill was referred to the joint committee on Consolidated Laws.

Mr. Forrest moved that the vote whereby the report of the Conference committee on S. B. No. 256 was agreed to, be reconsidered.

Which was agreed to.

On motion of Mr. Forrest, said bill was referred to the joint committee on Consolidated Laws.

Mr. Saltzgaber submitted the following report:

The committee of Conference, to whom was referred the matters of difference between the two Houses on H. B. No. 593, having had the same under consideration, recommend that the House concur in the following Senate amendments, viz.: Nos. 5, 6, 9, 10, 11, 12, 13, 14, 15, 22 and 29; and that the Senate recede from amendment No. 21; and that the Senate amendment No. 16 be modified so that the last clause shall

read as follows: add to the section the following words: "or if the commissioners have determined to issue bonds for the construction of such work, they may, if the contractor consents, pay in bonds; but proportional amounts shall not be certified or paid unless the whole job amounts to more than two thousand feet; when the whole contract is completed, the entire price may be paid in the manner aforesaid."

Strike out "annually," in line 11, of section 35, page 15 (Senate amendment No. 19), and both Houses concur.

Insert after the word "payable," in line 2, section 36, page 15 (Senate amendment No. 20), and both Senate and House then concur.

Add to Senate amendment No. 23, the words "and without finding error, the court may correct any gross injustice in the apportionment made by the commissioners."

Add a new section on page 62, as follows:

SEC. 30. The trustees of any township through which a stream or river subject to overflow passes may, on application of any party, enter upon any land in their township to view any proposed levee or embankment, for the purpose of protecting any land held by more than one person, and cause such levee or embankment to be located and constructed, whenever, in their opinion, the same is demanded by or will be conducive to the public health, convenience, or welfare; and they may appropriate private property, according to the provisions of law relating to the appropriation of private property to the use of corporations; but before any proceedings shall be taken by the trustees under this section, the expenses and cost of location and construction, and all other costs and expenses necessary or incident to the location or construction of the proposed levee, shall be guaranteed or paid to the trustees by the parties, or some of them, interested in the construction of the levee, (57 Vol., 88, §§ 1, 2).

D. JOY,
H. SABINE,
G. M. SALTZGABER,

Committee on part of the Senate.

L. HERRICK,
JAS. W. RIMER,
DAVID I. BROWN,

Committee on part of the House.

The question being on agreeing to said report, the yeas and nays were ordered, taken, and resulted—yeas 22, nays none, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Beer, Benson, Carson, Dungan, Fisher, Forrest, Grove, Howland, Jackson of Perry, Johnston, Joy, Kelley, Krimmel, Lord, Owens, Parker, Sabine, Saltzgaber, Stokes, Williams and Wilson—22.

So said report was agreed to.

Mr. Jackson of Perry submitted the following report:

The standing committee on Judiciary, to whom was referred the communication from the Codifying Commissioners, relative to the time of completing their labor, report the following Substitute for S. B. No. 365 (on the table):

SUBSTITUTE FOR S. B. NO. 365—MR. FORREST.

A bill to repeal an act entitled an act to provide for the revision and consolidation of the statute laws of Ohio, passed March 27, 1875, (O. L., Vol. 72, p. 87):

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the commissioners heretofore appointed, and now acting in the revision and consolidation of the general statute laws of the state, shall forthwith upon the passage of this act deliver into the possession of the attorney-general of the state the rooms now occupied by them in the capitol building, and also all books, papers and property in their possession belonging to the state, including all notes, minutes and annotations by them prepared or obtained during their employment by the state, having reference to such revision and consolidation.

SEC. 2. The clerk of the Senate and the clerk of the house of representatives, as a part of their official duties, shall, under the supervision of the said attorney-general, prepare for and supervise the publication of said statutes and index, and any annotations to said statutes, prepared by said attorney-general, who shall furnish notes and reference of decisions by the supreme court, pertinent to the construction of said statutes, so far as the same can be prepared within the time herein limited.

SEC. 3. The said attorney-general is further authorized to employ not more than two other clerks to assist him in the performance of the duties imposed by this statute.

SEC. 4. The secretary of state is authorized and required to sell, at actual cost, to each person desiring a copy of the published consolidated and revised statutes for use within the state, a copy thereof; but the aggregate of such sales shall not exceed four thousand, of which sales he shall keep accurate account, and pay the proceeds into the state treasury.

SEC. 5. It shall be unlawful, except by the secretary of state, to sell, or expose for sale, any statute or statutes of the state hereafter published, either with or without notes, annotations, references, or comments, at a price greater than actual cost of putting in print and binding with ten per cent. added thereon, nor in any event at a price greater than ten per cent. above the cost of like publications by the state, and any person selling statutes in violation of this act shall forfeit and pay a sum not less than five nor more than one hundred dollars for each sale, to be recovered in an action in the name of the state of Ohio, in any court of competent jurisdiction.

SEC. 6. The prosecuting attorney, the secretary of state, and the attorney-general are each required, upon knowledge of unlawful sales, to institute such actions, and shall pay into the county treasury of the proper county any money collected under this act, and the same shall be credited to the general revenue fund.

SEC. 7. For services in preparing said statutes for publication and the supervision thereof, said attorney-general shall be allowed and paid ten dollars per day, and the clerks so employed by him shall be allowed and paid the sum of five dollars per day, each, for the time by each respectively employed at said duties, to be paid out of the state treasury upon the certificate of the secretary of state; provided, however, that such employment shall not extend beyond the 1st day of September, A.D. 1879.

SEC. 8. The act entitled an act to provide for the revision and consolidation of the statute laws of Ohio, passed March 27, 1875, is hereby repealed.

SEC. 9. This act shall take effect and be in force from and after its passage.

W. T. FORREST, LYMAN J. JACKSON,
G. M. SALTZGABER, IRVINE DUNGAN.
W. P. HOWLAND,

Said substitute was agreed to, and ordered to be printed, and the bill was made the special order of the hour for 4 o'clock P.M. on Monday next.

Mr. Carlisle offered the following resolution, which was referred to the committee on Claims:

S. R. No. 99: WHEREAS, The business of the Senate has been frequently retarded by the loss of bills and other papers of this Senate; therefore,
Be it resolved, That the Clerk of the Senate be authorized to buy for the use of the Senate a suitable safe, for the secure keeping of valuable and important papers of the Senate, subject to approval by the committee on Claims, and not to exceed one hundred and fifty dollars.

Mr. Dungan submitted the following report:

The standing committee on Universities and Colleges, to whom was referred the matter of the nomination of Joseph M. Briggs, of Franklin county (vice Richard Smith, nominated March 1, 1877, and not confirmed), as Trustee of Miami University, having had the same under consideration, report it back with the recommendation that said appointment be confirmed.

IRVINE DUNGAN, H. W. CURTISS,
W. H. STOKES, G. W. WILSON.
B. W. CARLISLE,

The question being on advising and consenting to said appointment, the yeas and nays were taken, and resulted—yeas 22, nays none, as follow:

Those who voted in the affirmative were—

Messrs. Beer, Benson, Carlisle, Carson, Curtiss, Dungan, Fisher, Grove, Howland, Jackson of Perry, Johnston, Joy, Kelley, Krimmel, Lord, Marsh, Owens, Parker, Sabine, Stokes, Williams and Wilson—22.

So the Senate advised and consented to said appointment.

Mr. Grove moved that H. B. No. 938 be taken from the table.

Which was agreed to.

Said bill was then read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 19, nays none, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Benson, Carlisle, Dungan, Grove, Howland, Jackson of Perry, Joy, Krimmel, Lord, Marsh, Owens, Parker, Richards, Sabine, Saltzgaber, Stokes, Williams and Wilson—19.

So the bill passed. The title was agreed to.

Mr. Grove moved that H. B. No. 911 be taken from the table.

Which was agreed to.

Said bill was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 20, nays 2, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Beer, Carlisle, Fisher, Grove, Howland, Jackson of Perry, Johnston, Kelley, Krimmel, Lord, Marsh, Owens, Parker, Richards, Sabine, Saltzgaber, Stokes, Williams and Wilson—20.

Those who voted in the negative were—

Messrs. Benson and Forrest—2.

So the bill passed. The title was agreed to.

Mr. Forrest presented the petition of Julius Ries, John Simpkinson and other citizens of Hamilton county, asking that S. B. No. 249, for the relief of Capt. John Porter, be passed.

Which was referred to the committee on Finance.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The following bills have been introduced in the House of Representatives, and read the first time :

H. B. No. 1067—Mr. Achauer—To amend section one of an act entitled an act supplementary to an act to incorporate the Muskingum College, passed March 3, 1863.

H. B. No. 1068—Mr. Parker—Relating to incorporated villages having a population of two thousand three hundred and twenty-three by the federal census of 1870.

H. B. No. 1069—Mr. Washburn—To amend section one of an act entitled an act to authorize the Commissioners of Pike county to build an improved road, and the Board of Public Works to grant certain rights.

Attest :

L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The Speaker of the House of Representatives has, in the presence of the House, signed the following bills:

H. B. No. 1031—Mr. Herrick—To authorize the Treasurer of Lorain county to deposit funds of the county in banks of the county during the rebuilding of the Court-house.

H. B. No. 1022—Mr. Sullivan of Hamilton—To provide for the repair of steamboat-landing and a road or street in the town of California, Anderson township, Hamilton county.

Attest :

L. A. BRUNNER, *Clerk.*

The President *pro tem.*, in presence of the Senate, signed said bills.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The House of Representatives has passed the following bills, in which the concurrence of the Senate is requested :

Amended H. B. No. 956—Mr. Marsh—To provide for cleaning the channel of Big Beaver river, to secure an outlet for the waste-water from the Mercer County Reservoir, and advance the interest of the Public Works.

H. B. No. 929—Mr. Stubbs—To amend section seven, chapter eleven, division eight, title municipal corporations, passed May 14, 1878, (O. L., p. 380.)

H. B. No. 1058—Mr. Elliott—To authorize the Commissioners of Delaware county to pay the indebtedness of the Agricultural Society of said county.

H. B. No. 1061—Mr. Luccock—Authorizing the County Commissioners of Guernsey county to deposit funds in bank.

Attest:

L. A. BRUNNER, *Clerk*.

Said bills were read the first time.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has concurred in the passage of the following bill:

S. B. No. 340—Mr. Joy—To amend section ten, of chapter six, division two of an act entitled an act to revise and consolidate the laws relating to civil procedure in Courts of Common Pleas and Superior Courts, in District Courts on appeal, and also the laws relating to procedure in error, mandamus and quo warranto, passed May 14, 1878, (O. L., Vol. 75, pp. 613 and 614).

Attest:

L. A. BRUNNER, *Clerk*.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has concurred in the adoption of the following joint resolution:

S. J. R. No. 96—Mr. Sherrick—Authorizing the Secretary of State to return H. B. No. 894 to Clerk of House of Representatives.

Attest:

L. A. BRUNNER, *Clerk*.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has concurred in the adoption of the following joint resolution:

S. J. R. No. 89—Mr. Fisher—Providing for the printing of three thousand copies of the Fish Commissioners' Report of 1878.

Attest:

L. A. BRUNNER, *Clerk*.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has agreed to the report of the committee of Conference on—

H. B. No. 837—Mr. Swaim—Revising and consolidating the statutes relating to police regulations.

Attest:

L. A. BRUNNER, *Clerk*.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has agreed to the report of the committee of Conference on S. B. No. 256, by Mr. Dungan.

Attest:

L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has agreed to the report of the committee of Conference on S. B. No. 203, by Mr. Krimmel.

Attest:

L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has agreed to the report of the committee of Conference on H. B. No. 593, by Mr. Brown of Putnam.

Attest:

L. A. BRUNNER, *Clerk.*

Mr. Armstrong submitted the following report:

The standing committee on Claims, to whom was referred S. R. No. 99 - Authorizing the purchase of a safe for the use of the Senate—having had the same under consideration, report it back, and recommend its adoption.

J. M. ARMSTRONG,	G. A. GROVE,
C. S. PARKER,	H. SABINE,
J. B. WILLIAMS,	D. D. BEEBE.

The question being on the adoption of said resolution, the yeas and nays were ordered, taken, and resulted—yeas 18, nays 2, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Beer, Benson, Carlisle, Dungan, Fisher, Forrest, Grove, Howland, Johnston, Kelley, Marsh, Owens, Parker, Richards, Sabine, Williams and Wilson—18.

Those who voted in the negative were—

Messrs. Joy and Saltzgaber—2.

So said resolution was adopted.

Mr. Johnston submitted the following report:

The standing committee on Corporations other than Municipal, to whom was referred S. B. No. 367—To amend section one of an act passed April 17, 1873, (O. L., Vol. 70, p. 163), relating to township cemeteries—having had the same under consideration, report it back, with the following amendments, and recommend its passage when so amended:

In line 9, of section one, strike out the words “by municipal corporations,” and insert in lieu thereof the following: “for cemetery purposes, as provided by the act passed May 13, 1878, and subject to the restrictions contained in said act.”

At the close of section 1, add the following: “provided, the lands so appropriated shall not exceed five acres in area.”

J. R. JOHNSTON,	R. G. RICHARDS,
J. M. ARMSTRONG,	IRVINE DUNGAN.
LYMAN J. JACKSON,	

Said amendments were agreed to, and the bill was ordered to be engrossed and read the third time on Monday next.

On motion of Mr. Beer, the Senate adjourned.

Attest:

ALLEN O. MYERS, *Clerk*.

MONDAY, *June 2*, 1879—10 o'clock A.M.

The Senate met pursuant to adjournment.

The Journal was read and approved.

Bills were read the second time and referred, as follows:

Amended H. B. No. 956—Mr. Marsh—To provide for clearing the channel of Big Beaver river, to secure an outlet for the waste-water from the Mercer County Reservoir, and advance the interest of the Public Works.

Committee on Public Works.

H. B. No. 929—Mr. Stubbs—To amend section seven, chapter eleven, division eight, title municipal corporations, passed May 14, 1878, (O. L., p. 380.)

Committee on Municipal Corporations.

H. B. No. 1058—Mr. Elliott—To authorize the Commissioners of Delaware county to pay the indebtedness of the Agricultural society of said county.

Committee on Agriculture.

H. B. No. 1061—Mr. Luccock—Authorizing the Commissioners of Guernsey county to deposit funds in bank.

Committee on Municipal Corporations.

Substitute for H. B. No. 743—Mr. Norton—To authorize the Trustees of Clinton township, Seneca county, Ohio, to levy a tax to macadamize and improve the roads and highways in said township—was read the third time.

On motion of Mr. Benson, said bill was laid on the table.

H. B. No. 1063—Mr. Bloom—To amend sections two and twenty-seven, of title three, chapter two, in the code of Ohio—was read the third time.

Mr. Benson moved that said bill be laid on the table.

Which was disagreed to.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 18, nays none, as follow:

Those who voted in the affirmative were—

Messrs. Beebe, Benson, Carlisle, Curtiss, Fisher, Forrest, Howland, Jackson of Perry, Johnston, Joy, Kelley, Krimmel, Lord, Owens, Parker, Richards, Wagener and Williams—18.

So the bill passed. The title was agreed to.

S. B. No. 367 Mr. Grove—To amend section one of an act passed April 17, 1873, (70, O. L., 136), relating to township cemeteries—was read the third time.

On motion of Mr. Richards, said bill was laid on the table.

Mr. Johnston submitted the following report:

The standing committee on Privileges and Elections, to whom was referred H. B. No. 995—To create two voting precincts in the township of Berne, Fairfield county having had the same under consideration, report it back, and recommend its passage.

H. C. LORD,

C. F. KRIMMEL,

R. G. RICHARDS,

J. R. JOHNSTON.

Said bill was ordered to be engrossed and read the third time to-morrow.

Mr. Johnston submitted the following report :

The standing committee on Privileges and Elections, to whom was referred H. B. No. 972—To divide Harrison township, Preble county, Ohio, into two voting precincts—having had the same under consideration, report it back, and recommend its passage.

R. G. RICHARDS,	C. F. KRIMMEL,
H. C. LORD,	J. R. JOHNSTON.

Said bill was ordered to be engrossed and read the third time to-morrow.

On motion of Mr. Krimmel, the Senate took a recess.

THREE O'CLOCK P.M.

Mr. Benson presented the petition of Joseph Hathaway, Mayor, and 156 other citizens of Mt. Gilead, Morrow county, praying for the passage of H. B. No. 994, for the relief of Charles Shedd.

Which was referred to the committee on Claims.

Mr. Wilson presented the remonstrance of J. S. Kelley and 262 other citizens of Clarke county, against the passage of H. B. No. 1003.

Which was referred to the committee on Railroads, Telegraphs and Turnpikes.

Mr. Grove moved to take from the table S. B. No. 367.

Which was agreed to.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 19, nays none, as follow :

Those who voted in the affirmative were—

Messrs. Beebe, Benson, Carlisle, Curtiss, Fisher, Forrest, Grove, Howland, Jackson of Perry, Johnston, Joy, Owens, Parker, Richards, Stokes, Tyler, Wagener, Williams and Wilson—19.

So the bill passed. The title was agreed to.

Mr. Benson moved to take from the table Substitute for H. B. No. 743.

Which was agreed to.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 19, nays 1, as follow :

Those who voted in the affirmative were—

Messrs. Beebe, Benson, Carlisle, Curtiss, Fisher, Forrest, Grove, Howland, Jackson of Perry, Joy, Owens, Parker, Richards, Sabine, Stokes, Tyler, Wagener, Williams and Wilson—19.

Mr. Johnston voted in the negative.

So the bill passed. The title was agreed to.

Mr. Benson moved to take from the table message from the House, relating to the appointment of a committee of Conference on S. B. No. 358.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 13, nays 3, as follow :

Those who voted in the affirmative were—

Messrs. Beebe, Benson, Curtiss, Forrest, Howland, Jackson of Perry, Johnston, Joy, Lord, Sabine, Tyler, Wagener and Williams—13.

Those who voted in the negative were—

Messrs. Carlisle, Owens and Stokes—3.

So the motion was agreed to.

Mr. Fisher moved that the request of the House be acceded to, and a Conference committee appointed.

Which was agreed to.

The President *pro tem.* appointed Messrs. Fisher, Marsh and Kelley as such committee on part of the Senate.

Mr. Curtiss moved that the Senate adjourn.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 3, nays 17, as follow :

Those who voted in the affirmative were—

Messrs. Curtiss, Johnston and Lord—3.

Those who voted in the negative were—

Messrs. Benson, Carlisle, Fisher, Forrest, Grove, Howland, Jackson of Perry, Joy, Owens, Parker, Richards, Saltzgaber, Stokes, Tyler, Wagener, Williams and Wilson—17.

So the motion was disagreed to.

The Senate then proceeded with the special order of the hour, viz. :

Substitute for S. B. No. 365—Mr. Forrest—To repeal an act entitled an act to provide for the revision and consolidation of the statute laws of Ohio, passed March 27, 1875, (O. L., Vol. 72, p. 87.)

Said bill was read the third time.

Mr. Forrest moved to refer the bill to a select committee of one, with instructions to amend as follows :

Section 3, lines 1 and 2, strike out the words “not more than two other clerks,” and insert in lieu thereof the words “two assistants.”

Section 7, strike out the word “five,” on line 4, and insert “ten” in lieu thereof.

Which was agreed to, and Mr. Forrest was appointed such committee, and reported the bill back amended as instructed.

Mr. Forrest moved to refer the bill to a select committee of one, with instructions to amend as follows :

Strike out of line 3, of section 7, the word “clerks.” and insert “assistants.”

Which was agreed to, and Mr. Forrest was appointed such committee, and reported the bill back amended as instructed.

Mr. Jackson of Perry moved to refer the bill to a select committee of one, with instructions to amend as follows :

After the words “prosecuting attorney,” in line 1, section 6, insert : “of each county.”

Which was agreed to, and Mr. Jackson of Perry was appointed such committee, and reported the bill back amended as instructed.

Mr. Forrest moved to refer the bill to a select committee of one, with instructions to amend as follows :

Add at the end of section 3 : “and he may appoint such number of subordinate clerks as in his judgment are necessary to carry out the provisions of this act, who shall receive a compensation not to exceed five dollars per day.”

Which was agreed to, and Mr. Forrest was appointed such committee, and reported the bill back amended as instructed.

Mr. Jackson of Perry moved to refer the bill to a select committee of one, with instructions to amend as follows :

Strike out “such employment,” in line 6, section 7, and insert : “the compensation of the attorney-general and his assistants and clerks.”

Which was agreed to, and Mr. Jackson of Perry was appointed such committee, and reported the bill back amended as instructed.

Mr. Howland moved to refer the bill to a select committee of one, with instructions to amend as follows:

To strike out section 4, and renumber the subsequent sections.

Which was agreed to, and Mr. Howland was appointed such committee, and reported the bill back amended as instructed.

Mr. Jackson of Perry moved to refer the bill to a select committee of one, with instructions to amend as follows:

Strike out "ten," in line 4, section 5, and insert "twenty-five."

Strike out "ten," in line 5, section 5, and insert "twenty-five."

Which was agreed to, and Mr. Jackson of Perry was appointed such committee, and reported the bill back amended as instructed.

Mr. Jackson of Perry moved to refer the bill to a select committee of one, with instructions to amend as follows:

Add to section 2, the words "and said attorney-general shall assume and perform all the duties heretofore imposed by him on said commissioners."

On which motion the yeas and nays were demanded, taken, and resulted—yeas 8, nays 14, as follow:

Those who voted in the affirmative were—

Messrs. Benson, Dungan, Fisher, Grove, Jackson of Perry, Joy, Lord and Tyler—8.

Those who voted in the negative were—

Messrs. Beebe, Carlisle, Curtiss, Forrest, Howland, Kelley, Owens, Parker, Richards, Sabine, Saltzgaber, Steedman, Stokes and Wilson—14.

So the motion was disagreed to.

Mr. Richards moved that said bill be referred to Mr. Jackson of Perry, as a special committee, with instructions to make it conform to the provisions of S. B. No. 357, with leave to report at any time.

Which was disagreed to.

On demand of Mr. Forrest, a call of the Senate was had.

Twenty-six Senators answered to their names.

Messrs. Armstrong, Beer, Carson, Jackson of Clinton, Johnston, Marsh, Sherrick and Wagener were absent.

On motion of Mr. Forrest, further proceedings under the call were dispensed with.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 19, nays 6, as follow:

Those who voted in the affirmative were—

Messrs. Benson, Carlisle, Dungan, Fisher, Forrest, Grove, Irvine, Jackson of Perry, Joy, Krimmel, Lord, McDonald, Owens, Parker, Saltzgaber, Steedman, Stokes, Tyler and Williams—19.

Those who voted in the negative were—

Messrs. Beebe, Curtiss, Howland, Kelley, Richards and Sabine—6.

So the bill passed. The title was agreed to.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has concurred in Senate amendments to—

H. B. No. 743—Mr. Norton—To authorize the Trustees of Clinton town-

ship, Seneca county, Ohio, to levy a tax to macadamize and improve the roads and highways in said township.

Attest :

L. A. BRUNNER, *Clerk*.

On motion of Mr. Curtiss, the Senate adjourned.

Attest :

ALLEN O. MYERS, *Clerk*.

TUESDAY, June 3, 1879—10 o'clock A.M.

The Senate met pursuant to adjournment.

The Journal was read and approved.

Mr. Carson moved that a message be sent to the House, requesting a certified copy of H. B. No. 17, to replace the original, referred to the committee on Common Schools and School Lands, and lost.

Which was agreed to.

Mr. Grove presented the remonstrance of Isaac W. Walton, James Barton and 155 other citizens of the city of Dayton, county of Montgomery, protesting against the passage of H. B. No. 1003.

Which was referred to the committee on Railroads, Telegraphs and Turnpikes.

H. B. No. 952—Mr. Williams—To regulate the fees and compensation of county auditors, probate judges, clerks of the courts, sheriffs, coroners, treasurers and recorders—was read the third time.

On demand of Mr. Owens, a call of the Senate was had.

Twenty-eight Senators answered to their names.

Messrs. Beer, Benson, Carson, Johnston, Marsh and Jackson of Clinton were absent.

On motion of Mr. Forrest, further proceedings under the call were dispensed with.

Mr. Dungan moved to refer the bill to a select committee of one, with instructions to amend as follows :

By striking out of section 35, all from and including the word "but," in line 43, and inserting : "and this act and the fees therein prescribed shall apply at once to all the incumbents of the offices herein mentioned."

On which motion the yeas and nays were demanded, taken, and resulted—yeas 5, nays 20, as follow :

Those who voted in the affirmative were—

Messrs. Carson, Dungan, Fisher, Forrest and Saltzgaber—5.

Those who voted in the negative were—

Messrs. Armstrong, Beebe, Curtiss, Grove, Howland, Irvine, Jackson of Perry, Joy, Lord, McDonald, Owens, Richards, Sabine, Sherrick, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—20.

So the motion was disagreed to.

Mr. Fisher moved to refer the bill to a select committee of one, with instructions to amend as follows :

In line 43, section 35, strike out all after the word "recited," and make section 36 read : "This act shall take effect and be in force from and after September 1, 1879."

On which motion the yeas and nays were demanded, taken, and resulted—yeas 6, nays 20, as follow :

Those who voted in the affirmative were—

Messrs. Carson, Dungan, Fisher, Forrest, Irvine and Saltzgaber—6.

Those who voted in the negative were -

Messrs. Armstrong, Beebe, Curtiss, Grove, Howland, Joy, Kelley, Lord, McDonald, Owens, Parker, Richards, Sabine, Sherrick, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—20.

So the motion was disagreed to.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 20, nays 5, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Carlisle, Carson, Dungan, Fisher, Forrest, Irvine, Jackson of Perry, Joy, Lord, McDonald, Owens, Parker, Richards, Saltzgaber, Sherrick, Steedman, Stokes, Tyler and Williams—20.

Those who voted in the negative were—

Messrs. Beebe, Grove, Howland, Sabine and Wilson—5.

So the bill passed. The title was agreed to.

Substitute for H. B. No. 608—Mr. Norton—To restrict the limits of the third judicial district; to define the several subdivisions thereof; to form and establish a new district within its original limits, and to abolish the fourth subdivision thereof—was read the third time.

Mr. Saltzgaber moved that said bill be laid on the table.

Which was agreed to.

Mr. Howland, on leave, submitted the following report :

The standing committee on Public Works and Public Lands, to whom was referred H. J. R. No. 89—To drain certain basins in Auglaize county—having had the same under consideration, report it back with the recommendation that it be amended as follows, to wit :

At the end of the resolution insert the following, to wit: "The whole of any remainder of the expenses for completing said cut-outs to be paid by the citizens of the locality."

W. P. HOWLAND,	G. M. SALTZGABER,
JAMES B. STEEDMAN,	LYMAN J. JACKSON.
G. W. WILSON,	

Said amendment was agreed to.

The question being on the adoption of said joint resolution, the yeas and nays were ordered, taken, and resulted—yeas 23, nays none, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Carlisle, Carson, Curtiss, Dungan, Grove, Howland, Jackson of Perry, Joy, Kelley, Krimmel, Lord, McDonald, Sabine, Saltzgaber, Sherrick, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—23.

So the joint resolution was adopted.

Mr. Saltzgaber moved that H. B. No. 608 be taken from the table.

Which was agreed to.

On demand of Mr. Joy, a call of the Senate was had.

Thirty Senators answered to their names.

Messrs. Beer, Jackson of Clinton, Johnston and Marsh were absent.

On motion of Mr. Joy, further proceedings under the call were dispensed with.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 23, nays 4, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Benson, Carlisle, Carson, Curtiss, Dungan, Forrest, Grove, Irvine, Jackson of Perry, Joy, Krimmel, Lord, McDonald, Owens,

Parker, Saltzgaber, Sherrick, Steedman, Stokes, Tyler, Wagener and Williams—23.

Those who voted in the negative were—

Messrs. Beebe, Fisher, Sabine and Wilson—4.

So the bill, having failed to receive a constitutional majority, was lost.

Mr. Saltzgaber moved that the vote whereby H. B. No. 608 was lost be reconsidered.

Which was agreed to.

On motion of Mr. Saltzgaber, said bill was laid on the table.

On motion of Mr. Joy, the Senate took a recess.

THREE O'CLOCK P.M.

H. B. No. 999—Mr. Levering—To provide for indexing the land records of Morrow county—was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 28, nays none, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beer, Benson, Carlisle, Carson, Curtiss, Dungan, Fisher, Forrest, Grove, Howland, Irvine, Jackson of Perry, Joy, Kelley, Lord, Marsh, McDonald, Owens, Richards, Sabine, Sherrick, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—28.

So the bill passed. The title was agreed to.

H. B. No. 1016—Mr. Haley—To authorize the Commissioners of Hardin county to pay the indebtedness of the Agricultural Society of said county—was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 25, nays none, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Benson, Carlisle, Carson, Curtiss, Dungan, Fisher, Forrest, Grove, Howland, Jackson of Perry, Joy, Kelley, Krimmel, Lord, Marsh, Owens, Parker, Richards, Sabine, Steedman, Stokes, Tyler, Williams and Wilson—25.

So the bill passed. The title was agreed to.

H. B. No. 751—Mr. Mack—To transfer territory—was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 27, nays 1, as follow:

Those who voted in the affirmative were

Messrs. Armstrong, Beer, Benson, Carlisle, Curtiss, Dungan, Fisher, Forrest, Howland, Jackson of Perry, Joy, Kelley, Krimmel, Lord, Marsh, McDonald, Owens, Parker, Richards, Sabine, Sherrick, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—27.

Mr. Carson voted in the negative.

So the bill passed. The title was agreed to.

H. B. No. 995 - Mr. Seifert—To create two voting precincts in township of Berne, Fairfield county—was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted yeas 21, nays 1, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beer, Benson, Carlisle, Carson, Dungan, Fisher, Howland, Jackson of Perry, Joy, Krimmel, Lord, Marsh, Owens, Parker, Richards, Sabine, Tyler, Wagener, Williams and Wilson 21.

Mr. Forrest voted in the negative.

So the bill passed. The title was agreed to.

On motion of Mr. Krimmel, H. B. No. 836 was passed, and ordered to be placed on the calendar for third reading on Thursday next.

H. B. No. 972—Mr. Stubbs—To divide Harrison township, Preble county, Ohio, into two voting precincts—was read the third time.

On motion of Mr. Grove, said bill was laid on the table.

Mr. Marsh submitted the following report:

The standing committee on Municipal Corporations, to whom was referred S. B. No. 373—To provide for placing the names of streets and numbers of houses on the property of private individuals, by order of Council—having had the same under consideration, report it back, with the recommendation that it be passed.

THEO. MARSH,	JAS. B. STEEDMAN,
R. G. RICHARDS,	LYMAN J. JACKSON,
GEO. W. WILSON,	G. A. GROVE.

Said bill was ordered to be engrossed and read the third time now, and was then read.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 24, nays none, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Benson, Carlisle, Carson, Curtiss, Dungan, Fisher, Forrest, Grove, Jackson of Perry, Joy, Kelley, Krimmel, Lord, Marsh, McDonald, Owens, Parker, Richards, Sabine, Sherrick, Stokes, Tyler and Williams—24.

So the bill passed. The title was agreed to.

Mr. Lord submitted the following report:

The standing committee on Privileges and Elections, to whom was referred Substitute for H. B. No. 566—Relating to the election of Representatives in the Congress of the United States—having had the same under consideration, report it back, and recommend its passage.

W. T. FORREST,	G. M. SALTZGABER,
H. C. LORD,	LYMAN J. JACKSON.
C. F. KRIMMEL,	

Said bill was ordered to be engrossed and read the third time now, and was then read.

Mr. Wilson moved that said bill be laid on the table.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 7, nays 23, as follow:

Those who voted in the affirmative were—

Messrs. Beer, Curtiss, Howland, Kelley, Richards, Sabine and Wilson—7.

Those who voted in the negative were—

Messrs. Armstrong, Carlisle, Carson, Dungan, Fisher, Forrest, Grove, Irvine, Jackson of Perry, Joy, Krimmel, Lord, Marsh, McDonald, Owens, Parker, Saltzgaber, Sherrick, Steedman, Stokes, Tyler, Wagener and Williams—23.

So the motion was disagreed to.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 23, nays 7, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Benson, Carlisle, Dungan, Fisher, Forrest, Grove,

Irvine, Jackson of Perry, Joy, Krimmel, Lord, Marsh, McDonald, Owens, Parker, Saltzgaber, Sherrick, Steedman, Stokes, Tyler, Wagener and Williams—23.

Those who voted in the negative were—

Messrs. Beer, Curtiss, Howland, Kelley, Richards, Sabine and Wilson—7.

So the bill passed. The title was agreed to.

Mr. Marsh presented the remonstrance of Robert Moore & Co., Gould, Pearce & Co. and 151 other citizens, merchants of Hamilton county, against the passage of H. B. No. 848—To regulate public warehouses in cities of the first grade of the first class.

Which was referred to the committee on Municipal Corporations.

Mr. Wilson submitted the following report:

The standing committee on Public Works and Public Lands, to whom was referred S. B. No. 353—To authorize a lease of part of the public works—having had the same under consideration, report it back, with the following amendments, and without further recommendation:

In section 1, strike out line 3, and the words "Valley Railway Company," and insert: "person or persons, corporation or corporations, who will pay the highest annual rental therefor."

In section 1, line 15, after the word "canal," insert the words "and all of said Hocking Valley canal;" in same section, strike out all after the word "path," in line 17, and insert the following: "The said parts of the public works shall be leased within ninety days after the passage of this act, at public outcry, in the rotunda of the State House, after notice of the time and place, when and where such lease will be let, is published for thirty days in two newspapers printed in the city of Columbus; but the same shall not be leased for less than fifteen thousand dollars yearly rent, and the lease thereof shall be on the terms and conditions hereinafter stipulated."

In section 2, line 1, strike out "said railway companies jointly," and insert: "such lessee or lessees."

In section 2, in line 4, between the words "of" and "fifteen", insert: "not less than".

Same section, between lines 7 and 8, insert: "written obligation of the lessee or lessees, signed by not less than five responsible sureties, to the acceptance of the governor and attorney-general, which obligation shall be in the penal sum of two hundred thousand dollars, and the same shall be renewed every five years, and conditioned that the lessee or lessees shall comply with and observe the provisions of this act; or if any railway corporation or corporations the rent shall be secured by the"; same section, line 8, strike out "joint"; same line, strike out "companies", and insert: "corporation or corporations;" same section, line 10, strike out "companies", and insert: "corporation or corporations."

Section 2, line 11, after the word "therein", insert: "and said mortgage to be a guarantee to the state for the faithful performance of the terms and conditions of said lease, and to hold the state harmless from damages arising thereunder or in consequence thereof"; also, in line 15, after the word "payable", insert: "and for the carrying out of the other conditions herein expressed."

Section 3, line 16, after the word "control", insert the words "but said

rates shall not exceed the regular rates fixed from time to time by the Board of Public Works."

JAMES B. STEEDMAN,	G. M. SALTZGABER,
W. P. HOWLAND,	H. C. LORD,
LYMAN J. JACKSON,	G. W. WILSON.

Said amendments were agreed to, and the bill was ordered to be engrossed and read the third time on Friday next.

Mr. Joy moved that Substitute for H. B. No. 608 be taken from the table.

Which was agreed to.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 24, nays 5, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Benson, Carlisle, Carson, Curtiss, Dungan, Forrest, Grove, Irvine, Jackson of Perry, Joy, Krimmel, Lord, Marsh, McDonald, Owens, Parker, Saltzgaber, Sherrick, Steedman, Stokes, Tyler, Wagener and Williams 24.

Those who voted in the negative were—

Messrs. Fisher, Howland, Richards, Sabine and Wilson—5.

So the bill passed. The title was agreed to.

Mr. Dungan submitted the following report:

The joint committee on Enrollment has examined, and found correctly enrolled, the following bills and joint resolutions:

H. J. R. No. 124—Directing the Treasurer to turn over a safe in his office to the Warden of the Ohio Penitentiary.

H. B. No. 1056—To authorize the Commissioners of Pike county to issue bonds for bridge purposes.

H. B. No. 987—To provide for the more effectual drainage of Hog Creek Marsh, in Hardin county.

H. B. No. 938—To create two election precincts in the township of Clay, Montgomery county.

H. J. R. No. 120—Relative to the binding of the Secretary of State's report in muslin.

H. B. No. 911—To divide Gratis township, Preble county, into two voting precincts.

H. B. No. 962—To create two election precincts in the township of Duchouquet, Auglaize county, State of Ohio.

IRVINE DUNGAN,	WM. JESSUP,
C. F. KRIMMEL,	E. S. PERKINS.
A. D. MARSH,	

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bills, in which the concurrence of the Senate is requested:

H. B. No. 421—Mr. Booth—To authorize the Board of Public Works to lower the culvert under the canal, near the village of Groveport, in Franklin county.

H. B. No. 352—Mr. Van Cleaf—To authorize the Board of Public Works to enlarge a culvert under the Ohio canal, in Circleville township, Pickaway county.

H. B. No. 791—Mr. Covert—To authorize municipal corporations, counties and townships to levy taxes for special improvements and for the payment of debts.

H. B. No. 1005—Mr. Foster - To provide for the erection, maintenance and operation of gates at railroad-crossings in certain cities.

Substitute for H. B. No. 312—Mr. Levering—To authorize the Commissioners of Morrow county to pay the indebtedness of the Agricultural Society of said county.

H. B. No. 901—Mr. Greene - To provide for the detection and punishment of persons charged with injuring bridges and other public property.

Attest :

L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The House of Representatives has refused to concur in the passage of the following bill:

S. B. No. 363—Mr. Tyler - To amend the act of May 14, 1878, entitled an act to amend, revise and consolidate the statutes relating to municipal corporations, to be known as title twelve, part one of the act to revise and consolidate the general statutes of Ohio, (75 Vol., pp. 161 and 394).

Attest :

L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The House of Representatives recedes from its amendment (No. 1) to—
S. B. No. 295—Mr. Wilson—Subdividing the fifth Common Pleas district, and providing for an additional Judge in the third subdivision therein—

And has concurred in Senate amendments to—

H. B. No. 1030 - Mr. Achauer—To amend section twenty-five, of chapter eleven, of title 7 (publicways), of part second.

Attest :

L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The House of Representatives has concurred in the passage of the following bills:

S. B. No. 377—Mr. Marsh—To provide for the payment of the amounts of assessments in excess of twenty-five per cent. of the value of the lots or lands assessed for an improvement, in cities of the first grade of the first class.

S. B. No. 375—Mr. Jackson of Perry—To authorize the Board of Education of the village of New Straitsville, Perry county, to issue bonds to purchase a school-house.

S. B. No. 367—Mr. Grove—To amend section one of an act passed April 17, 1873, (O. L., Vol. 70, p. 136), relating to township cemeteries.

-S. B. No. 379—Mr. Lord To authorize the Board of County Commissioners of Hamilton county to maintain, repair, protect, and preserve Mitchell Avenue Tunnel from the bridge fund of said county, supplementary to an act to authorize the Board of County Commissioners of Hamilton county to extend Mitchell avenue under the Miami and Erie canal, and to levy a tax to defray the expense thereof, passed April 28, 1877, (Vol. 74, O. L., p. 484).

Attest:

L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives requests the return of S. B. No. 363, by Mr. Tyler.

Attest:

L. A. BRUNNER, *Clerk.*

Mr. Tyler moved that the request of the House be acceded to.

Which was agreed to.

Mr. Wagener moved that S. B. No. 350 be taken from the table.

Which was agreed to.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 18, nays 6, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Benson, Carlisle, Carson, Dungan, Grove, Joy, Krimmel, Lord, McDonald, Owens, Parker, Saltzgaber, Steedman, Stokes, Tyler, Wagener and Williams—18.

Those who voted in the negative were—

Messrs. Fisher, Forrest, Howland, Jackson of Perry, Richards and Wilson—6.

So the bill passed. The title was agreed to.

Mr. Armstrong moved that S. B. No. 218 be taken from the table.

Which was agreed to.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 20, nays 7, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Curtiss, Forrest, Grove, Irvine, Jackson of Perry, Joy, Krimmel, Lord, Marsh, McDonald, Parker, Stokes, Tyler, Wagener and Williams—20.

Those who voted in the negative were—

Messrs. Carson, Dungan, Fisher, Howland, Richards, Sherrick and Wilson—7.

So the bill passed. The title was agreed to.

Mr. Joy moved that H. B. No. 131 be taken from the table.

Which was agreed to.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 24, nays 3, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Carson, Curtiss, Howland, Irvine, Jackson of Perry, Joy, Kelley, Krimmel, Lord, Marsh, Owens, Richards, Sabine, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—24.

Those who voted in the negative were—

Messrs. Fisher, Forrest and Saltzgaber—3.

So the bill passed. The title was agreed to.

Mr. Carson moved that H. B. No. 766 and pending amendments be taken from the table.

Which was agreed to.

The question being on agreeing to the amendments reported by the committee—

The same were agreed to.

Said bill was read the third time.

Mr. Beer moved to refer the bill to a select committee of one, with instructions to amend as follows:

In section 4, line 9, after the word “words,” strike out all to the word “which,” in line 13; and in line 13, strike out the word “amounts.”

Which was agreed to, and Mr. Beer was appointed such committee, and reported the bill back amended as instructed.

The question being “Shall the bill pass?” the yeas and nays were taken, and resulted—yeas 19, nays 1, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Carson, Curtiss, Fisher, Grove, Howland, Irvine, Joy, Kelley, Richards, Sabine, Saltzgaber, Steedman, Williams and Wilson—19.

Mr. Forrest voted in the negative.

So the bill passed. The title was agreed to.

Mr. Fisher presented the remonstrance of J. Glover, of Coshocton county, against the passage of the Perkins School-book Bill.

Which was referred to the committee on Common Schools and School Lands.

Mr. Fisher presented the remonstrance of E. C. Carter and 52 other citizens of Tuscarawas county, against the passage of the Perkins School-book Bill.

Which was referred to the committee on Common Schools and School Lands.

Mr. Joy moved that the Senate adjourn until Thursday morning next at 10 o'clock.

Which was agreed to, and the Senate adjourned.

Attest:

ALLEN O. MYERS, *Clerk.*

THURSDAY, June 5, 1879—10 o'clock A.M.

The Senate met pursuant to adjournment.

Prayer by Rev. Hugh C. McBride.

The Journal was read and approved.

Mr. Seitz presented the remonstrance of M. Kingseed and 195 other citizens of Seneca county, against the passage of H. B. No. 1003, or any other bill restricting the sale of railroad tickets by responsible parties.

Which was referred to the committee on Railroads, Telegraphs and Turnpikes.

Mr. Jackson of Clinton presented the remonstrance of S. K. Syman and 93 other citizens of Xenia, Greene county, remonstrating against the

passage of H. B. No. 1003, or any other bill restricting the sale of railroad tickets by responsible parties.

Which was referred to the committee on Railroads, Telegraphs and Turnpikes.

Mr. Krimmel presented the petition of John C. English and 190 other citizens of Franklin and Pickaway counties, praying for the passage of H. B. No. 1003.

Which was referred to the committee on Railroads, Telegraphs and Turnpikes.

Mr. Carlisle presented the petition of A. W. S. Minear and 11 other citizens of Athens county, against the passage of the Perkins School Bill

Which was referred to the committee on Common Schools and School Lands.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The following bills have been introduced in the House of Representatives, and read the first time :

H. B. No. 1070—Mr. Baker—For the relief of Allen Creamer.

H. B. No. 1071—Mr. Reed of Ross—To authorize the City Council of the city of Chillicothe to invest surplus funds in United States or other securities.

Attest :

L. A. BRUNNER, *Clerk.*

Mr. Saltzgaber submitted the following report :

The committee on Revision has examined, and found correctly engrossed, H. B. No. 131, and H. B. No. 766.

G. M. SALTZGABER,
J. M. CARSON,
J. C. FISHER.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bill, in which the concurrence of the Senate is requested :

H. B. No. 1068—Mr. Parker—Relating to incorporated villages having a population of not less than two thousand three hundred and twenty-two, and not more than two thousand three hundred and twenty-four by the federal census of 1870.

Attest :

L. A. BRUNNER, *Clerk.*

Mr. Tyler moved that the constitutional rule, requiring bills to be read on three different days, be suspended, that H. B. No. 1068 may be read the second time.

On which motion the yeas and nays were taken, and resulted—yeas 27, nays none, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Benson, Carlisle, Curtiss, Dungan, Fisher, Forrest, Grove, Irvine, Jackson of Clinton, Jackson of Perry, Joy, Krimmel, Lord, Marsh, Owens, Parker, Richards, Sabine, Seitz, Sherrick, Steedman, Stokes, Tyler, Wagener and Williams—27.

So the motion was agreed to, and the bill was read the second time, and referred to the committee on Railroads, Telegraphs and Turnpikes.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has concurred in the adoption of the following joint resolution:

S. J. R. No. 73—Mr. Jackson of Perry—Relating to the military record of Gustavus S. Grate.

Attest:

L. A. BRUNNER, *Clerk*.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bill, in which the concurrence of the Senate is requested:

Amended H. B. No. 1008—Mr. Levering—Making appropriations for certain purposes for the fiscal year 1879, and the first quarter of 1880.

Attest:

L. A. BRUNNER, *Clerk*.

Mr. Fisher moved that the constitutional rule, requiring bills to be read on three different days, be suspended, that H. B. No. 1008 may be read the second time.

On which motion the yeas and nays were taken, and resulted—yeas 31, nays none, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Carson, Curtiss, Dungan, Fisher, Forrest, Grove, Howland, Irvine, Jackson of Clinton, Jackson of Perry, Joy, Kelley, Krimmel, Lord, Marsh, Owens, Parker, Richards, Saltzgaber, Seitz, Sherrick, Steedman, Stokes, Tyler, Wagener and Williams—31.

So the motion was agreed to, and said bill was read the second time, and referred to the committee on Finance.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives accedes to the request of the Senate, and herewith returns a certified copy of—

H. B. No. 17—Mr. Perkins—To provide for the purchase of books for the use of common schools.

Attest:

L. A. BRUNNER, *Clerk*.

On motion of Mr. Carson, said bill was referred the committee on Common Schools and School Lands.

Mr. Dungan submitted the following report:

The joint committee on Enrollment has examined, and found correctly enrolled, the following bills:

H. B. No. 443—To authorize the election of an additional Judge of the Court of Common Pleas in the first sub-division of the seventh judicial district of the State of Ohio.

H. B. No. 1054—To authorize the village of McConnelsville to transfer certain funds.

H. B. No. 1052—To authorize the Board of Education of the Union School District of St. Mary's, Auglaize county, to levy and assess an additional tax.

H. B. No. 1053—To authorize the Trustees of Mound Hill Cemetery to use a portion of the funds of said cemetery to improve a road leading to the same.

H. B. No. 924—To amend the act of May 14, 1878, entitled an act to amend, revise and consolidate the statutes relating to municipal corporations, to be known as title twelve, part one of the act to revise and consolidate the general statutes of Ohio, (Vol. 75, O. L., p. 161.)

H. B. No. 1027—To amend the first section of an act entitled an act to enable the Commissioners of Clarke, Franklin, Miami, Pickaway and Pike counties to purchase toll-roads and convert them into free roads.

H. B. No. 397—Authorizing the removal of obstructions from the Miami river, in Logan county.

H. B. No. 1055—To authorize the Trustees of Zane township, Logan county, Ohio, to sell certain real estate and lease part of new Township Hall.

IRVINE DUNGAN,	J. W. WASHBURN,
C. R. HARMON,	WM. JESSUP,
F. M. CARTER,	A. D. MARSH,
C. F. KRIMMEL,	R. G. RICHARDS.

Bills were read the second time and referred, as follows:

H. B. No. 421—Mr. Booth—To authorize the Board of Public Works to lower the culvert under the canal, near the village of Groveport, in Franklin county.

Committee on Public Works and Public Lands.

H. B. No. 352—Mr. Van Cleaf—To authorize the Board of Public Works to enlarge a culvert under the Ohio canal, in Circleville township, Pickaway county.

Committee on Public Works and Public Lands.

H. B. No. 791—Mr. Covert—To authorize cities counties, villages and townships to levy taxes for special improvements, and for the payment of debts.

Committee on Finance.

H. B. No. 1005 Mr. Foster—To provide for the erection, maintenance and operation of gates at railroad-crossings, in cities of the first class and second grade.

Committee on Railroads, Telegraphs and Turnpikes.

Substitute for H. B. No. 312—Mr. Levering—To authorize the Commissioners of Morrow county to pay the indebtedness of the Agricultural Society of said county.

Committee on Unfinished Business.

H. B. No. 991—Mr. Greene—To provide for the detection and punishment of persons charged with injuring bridges and other public property.

Committee on the Judiciary.

Mr. Jackson of Perry submitted the following report:

The committee of Conference, to whom was referred the matters of difference between the two Houses on S. B. No. 271, having had the same under consideration, report that the House amendments to said bill are numbered differently in the engrossed bill and the messages between the Senate and House in reference thereto, and that in this report the House amendments in which the Senate non-concurred, and which are matter

of difference between the two Houses, are designated both by the numbers of said amendments as given in the engrossed bill, and by the numbers of said amendments as given in said messages; and where such numbering is different said amendments are designated, first, by the numbers in the bill; and second, by the number in said messages. And the committee have agreed upon all the points of difference between the two Houses, as follows:

The committee recommend that the Senate concur in the following House amendments:

Page 3, chapter 1, section 4—No. 1.

Page 5, chapter 1, section 14—No. 3-7.

Page 11 chapter 1, section 36—No. 5-4.

Page 12, chapter 1, section 39 $\frac{1}{2}$ —No. 6-5.

Page 15, chapter 2, section 1—No. 7-6.

Page 139, chapter 10, section 16—No. 49.

Page 140, chapter 10, section 17, sub-division 10—No. 50.

Pages 152 and 153, chapter 10, sections 46 and 47—No. 51.

The committee also recommend that House amendment numbered 4-32, page 10, section 32, be amended by adding at the end of said section the following words: "and in such action there shall be found and determined the amount payable by each person liable as a stockholder on all the indebtedness of the corporation, in which adjudication no costs shall be taxed to nor collected of any stockholder to an amount which, together with the amount to be paid on said indebtedness, will exceed the amount of the stock on which he is liable"; and recommend that when so amended the Senate concur therein.

That House amendment numbered 10-9, page 20, section 14, be changed by striking out the word "second", and inserting "sixth"; and that when so amended the Senate concur therein.

That House amendment numbered 57-66, page 209, chapter 14, section 38, be amended by adding the following words to section: "and the possession of the body of any deceased person for the above purposes, and not authorized under this section, shall be unlawful, and the detention of any body claimed by relatives or friends for interment shall also be unlawful"; and that when so amended the Senate concur therein.

The committee recommend that the House recede from the following amendments:

Page 184, chapter 12, section 3, No. 55-54.

Page 233, chapter, 17, section 26, No. 61-60.

LYMAN J. JACKSON,
JAMES W. OWENS,
H. W. CURTISS,

Committee on part of the Senate.

H. J. BOOTH,
I. B. WRIGHT,
L. A. PALMER,

Committee on part of the House.

The question being on agreeing to said report, the yeas and nays were ordered, taken, and resulted—yeas 28, nays 2, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carson, Curtiss, Dungan, Grove, Howland, Irvine, Jackson of Perry, Joy, Kelley, Krimmel, Lord,

Marsh, McDonald, Owens, Parker, Richards, Sabine, Saltzgaber, Seitz, Sherrick, Stokes, Tyler, Wagener and Williams—28.

Those who voted in the negative were—

Messrs. Fisher and Forrest—2.

So the report was agreed to.

Mr. Jackson of Perry moved that the vote whereby said report was agreed to be reconsidered.

Which was agreed to.

On motion of Mr. Jackson of Perry, said S. B. No. 271 was referred to the joint committee on Consolidated Laws.

H. B. No. 836—Mr. Booth—To amend sections twelve and thirteen, of chapter four, division seven of an act entitled an act to amend, revise and consolidate the statutes relating to municipal corporations, to be known as title twelve, part one of the act to revise and consolidate the general statutes of Ohio, passed May 14, 1878, (Vol. 75, O. L., p. 161)—was read the third time.

The question being “Shall the bill pass?” the yeas and nays were taken, and resulted—yeas 25, nays none, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Benson, Carlisle, Carson, Curtiss, Dungan, Fisher, Grove, Jackson of Clinton, Jackson of Perry, Joy, Kelley, Krimmel, Lord, Marsh, McDonald, Owens, Richards, Seitz, Sherrick, Steedman, Stokes, Tyler, Wagener and Williams—25.

So the bill passed. The title was agreed to.

Mr. Curtiss, on leave, introduced the following bill, which was read the first time :

S. B. No. 382—To provide for securing title to land for park purposes in certain cities.

Mr. Curtiss moved that the constitutional rule, requiring bills to be read on three different days, be suspended, that S. B. No. 382 may be read the second time.

On which motion the yeas and nays were taken, and resulted—yeas 27, nays none, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Carson, Curtiss, Dungan, Grove, Howland, Irvine, Jackson of Clinton, Jackson of Perry, Joy, Krimmel, Lord, Marsh, McDonald, Owens, Parker, Richards, Seitz, Steedman, Stokes, Tyler, Wagener and Williams—27.

So the motion was agreed to, and the bill was read the second time, and referred to the committee on Finance.

Mr. Dungan moved that H. B. No. 1025 be taken from the table.

Which was agreed to.

Said bill was read the third time.

The question being “Shall the bill pass?” the yeas and nays were taken, and resulted—yeas 20, nays 2, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Curtiss, Dungan, Grove, Howland, Joy, Krimmel, Lord, Owens, Richards, Sherrick, Steedman, Stokes, Tyler, Wagener and Williams—20.

Messrs. Carson and Seitz voted in the negative.

So the bill passed. The title was agreed to.

Mr. Owens moved to take from the table S. B. No. 276.

Which was agreed to.

On demand of Mr. Owens, a call of the Senate was had.

Twenty-nine Senators answered to their names.

Messrs. Irvine, Jackson of Perry, Johnston, Krimmel, Wagener and Wilson were absent.

Mr. Beer moved that the Sergeant-at-Arms be dispatched for absentees.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 14, nays 10, as follow :

Those who voted in the affirmative were

Messrs. Beebe, Beer, Carlisle, Curtiss, Fisher, Jackson of Clinton, Joy, Lord, McDonald, Owens, Parker, Sabine, Sherrick and Williams—14.

Those who voted in the negative were—

Messrs. Armstrong, Carson, Dungan, Grove, Howland, Kelley, Marsh, Richards, Saltzgaber and Seitz—10.

So the motion was agreed to.

Mr. Jackson of Perry having appeared within the bar of the Senate, and answered to his name—

Mr. Marsh moved that further proceedings under the call be dispensed with.

Which was disagreed to.

Messrs. Irvine and Krimmel having appeared within the bar of the Senate, and answered to their names—

On motion of Mr. Owens, further proceedings under the call were dispensed with.

The question being “Shall the bill pass?” the yeas and nays were taken, and resulted—yeas 20, nays 12, as follow :

Those who voted in the affirmative were—

Messrs. Beebe, Beer, Benson, Carlisle, Curtiss, Fisher, Irvine, Jackson of Clinton, Jackson of Perry, Joy, Kelley, Krimmel, Lord, McDonald, Owens, Sabine, Sherrick, Stokes, Tyler and Williams—20.

Those who voted in the negative were—

Messrs. Armstrong, Carson, Dungan, Forrest, Grove, Howland, Marsh, Parker, Richards, Saltzgaber, Seitz and Steedman—12.

So the bill passed. The title was agreed to.

Mr. Saltzgaber moved that S. R. No. 94 be taken from the table.

Which was agreed to.

Said resolution was then adopted.

Mr. Dungan moved to take from the table H. B. No. 53.

Which was agreed to.

Mr. Dungan moved to refer the bill to a select committee of one, with instructions to amend as follows:

In section 1, strike out all after the word “cents,” at the end of line 19, and insert the following: “but on all turnpike roads constructed of and kept in repair with two-thirds broken limestone, the companies operating the same may charge and receive for each ten miles of travel on such road, and in the same proportion for any less distance: for every four-wheeled carriage or other vehicle drawn by one horse or other animal, twenty cents, and for each additional animal, ten cents; for every sled or sleigh drawn by one horse or other animal, ten cents, and each additional animal, five cents; for every horse, mule, and rider, ten cents; for every horse, mule, or ass six months old or upwards, five cents; for every head of neat cattle six months old or upward, one and a half cents; for every head of hogs, three-fourths of a cent; for every head of sheep, one-half

cent; for every stage coach or omnibus drawn by two horses or other animals, forty cents, for each additional animal, ten cents; for every two-wheeled carriage drawn by one horse, fifteen cents; provided, that on all the toll-roads in this State any person or persons going to and from their regular place of worship on the Sabbath, funerals, militia musters, elections, jurymen going to and returning from their attendance at court, the troops and armies of the United States and of this State, may pass on any such turnpike or plank-road free of toll."

Which was agreed to, and Mr. Dungan was appointed such committee, and reported the bill back amended as instructed.

Mr. Forrest moved that the bill be laid on the table.

Which was disagreed to.

Said bill was ordered to be placed on the calendar for to-morrow.

On motion of Mr. Seitz, the Senate took a recess.

THREE O'CLOCK P.M.

Mr. Sherrick submitted the following report :

The standing committee on Finance, to whom was referred H. B. No. 1044—To authorize the County Commissioners of Athens county, Ohio, to levy an additional tax for county and poor purposes—having had the same under consideration, report it back, and recommend that it be passed.

J. C. FISHER,	JOHN SEITZ,
THOS. M. BEER,	H. W. CURTISS,
J. SHERRICK,	J. M. CARSON.

Said bill was ordered to be engrossed and read the third time now, and was then read.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 22, nays 2, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Carlisle, Curtiss, Dungan, Fisher, Grove, Irvine, Jackson of Clinton, Jackson of Perry, Joy, Krimmel, Marsh, Owens, Richards, Sabine, Seitz, Sherrick, Steedman, Tyler and Wagener—22.

Those who voted in the negative were—

Messrs. Carson and Forrest—2.

So the bill passed. The title was agreed to.

Mr. Richards submitted the following report :

The standing committee on Municipal Corporations, to whom was referred H. B. No. 1061—To authorize the Commissioners of Guernsey county to deposit county funds in bank—having had the same under consideration, report it back, and recommend its passage.

R. G. RICHARDS,	JAS. B. STEEDMAN,
THEO. MARSH,	LYMAN J. JACKSON.
G. M. SALTZGABER,	

Said bill was then ordered to be engrossed and read the third time now, and was then read.

Mr. Richards moved to refer the bill to a select committee of one, with instructions to amend as follows :

In line 6 add after the word "and," the word "all;" and at the end of section 1, "and that said bondsmen shall not be released from their obligations as such bondsmen on account of such deposit."

Which was agreed to, and Mr. Richards was appointed such committee, and reported the bill back amended as instructed.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 22, nays 4, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Carlisle, Carson, Fisher, Grove, Jackson of Perry, Joy, Kelley, Krimmel, Lord, Marsh, Owens, Parker, Richards, Saltzgaber, Steedman, Stokes, Tyler, Wagener and Williams—22.

Those who voted in the negative were—

Messrs. Benson, Forrest, Irvine and Seitz—4.

So the bill passed. The title was agreed to.

Mr. Forrest moved that the vote whereby H. B. No. 566 was passed be reconsidered.

Which was agreed to.

Mr. Forrest moved that a message be sent to the House requesting the return of said bill.

Which was agreed to.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives accedes to the request of the Senate, and herewith returns Substitute for H. B. No. 566, by Mr. Wright.

Attest :

L. A. BRUNNER, *Clerk.*

The consideration of said bill was proceeded with, the question being on its passage.

Mr. Forrest moved to refer the bill to a select committee of one, with instructions to amend as follows:

Add after the word "aforesaid," on line 6, of section 3, the words following: "Provided, however, that the provisions of this act shall not apply at any election at which no supervisors are appointed under the laws of the United States, nor soldiers of the United States are employed under the authority of the General Government to attend at the polls."

Pending which, on demand of Mr. Forrest, a call of the Senate was had.

Twenty-seven Senators answered to their names.

Messrs. Beer, Dungan, Irvine, Johnston, Kelly, Owens, Wagener and Wilson were absent.

On motion of Mr. Forrest, further proceedings under the call were dispensed with.

The question being on Mr. Forrest's motion to refer—

The same was agreed to, and Mr. Forrest was appointed such committee, and reported the bill back amended as instructed.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 21, nays 5, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Benson, Carlisle, Carson, Fisher, Forrest, Grove, Jackson of Perry, Joy, Krimmel, Lord, Marsh, McDonald, Parker, Saltzgaber, Seitz, Sherrick, Steedman, Stokes, Tyler and Williams—21.

Those who voted in the negative were—

Messrs. Beebe, Howland, Jackson of Clinton, Richards and Sabine—5.

So the bill passed. The title was agreed to.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The House of Representatives has appointed Messrs. Marsh, Quinby and Haley a committee of Conference to consider the differences between the two Houses on S. B. No. 358, by Mr. Benson.

Attest :

L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The House of Representatives has agreed to the report of the committee of Conference on—

S. B. No. 271—Mr. Lord—Revising and consolidating the laws relating to private corporations.

Attest :

L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The House of Representatives has concurred in Senate amendments to—

H. B. No. 999—Mr. Levering—To provide for indexing the land records of Morrow county.

And to—

H. J. R. No. 89—Mr. Sawyer—As to draining certain basins in Auglaize county, Ohio.

Attest :

L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The House of Representatives has concurred in the passage of the following bill :

S. B. No. 359—Mr. Sabine—To abolish joint sub-district No. 1, in Big Island, and No. 6, in Marion townships, Marion county, Ohio, and to re-adjust the territory thereof.

Attest :

L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The House of Representatives has concurred in Senate amendments to the following bills :

H. B. No. 131—Mr. Seifert—Relating to the Lincoln and Soldiers' Memorial Monument.

H. B. No. 766—Mr. Bloom—To authorize the Register of Virginia Military School Lands at Mansfield, Ohio, to close the business of his office.

Attest :

L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bills, in which the concurrence of the Senate is requested:

H. B. No. 1069—Mr. Washburn—To amend section one of an act to authorize the Commissioners of Pike county to build an improved road, and the Board of Public Works to grant certain rights.

H. B. No. 1070—Mr. Baker—For the relief of Allen Cremear.

H. B. No. 1064—Mr. Levering—To provide for the purchase of toll-roads or turnpikes in such counties and upon such terms as are therein specified.

H. B. No. 1071—Mr. Reed of Ross—To authorize the City Council of the city of Chillicothe to invest a surplus fund in United States or other bonds.

H. B. No. 618—Mr. Cowgill—To amend sections one and two of an act to provide for the erection of a monument to the memory of General Simon Kenton, passed May 1, 1854, (O. L., Vol. 52, p. 87.)

Attest:

L. A. BRUNNER, *Clerk.*

Said bills were read the first time.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The Speaker of the House of Representatives has, in the presence of the House, signed the following bills and joint resolutions:

H. B. No. 987—Mr. Haley—To provide for the more effectual drainage of Hog Creek Marsh, in Hardin county.

H. B. No. 938—Mr. Turner—To create two election precincts in the township of Clay, Montgomery county.

H. J. R. No. 120—Mr. Van Cleaf—Relating to binding the Secretary of State's report in muslin.

H. B. No. 1055—Mr. Dow—To authorize the Trustees of Zane township, Logan county, Ohio, to sell certain real estate, and lease part of new Township Hall.

H. B. No. 397—Mr. Dow—Authorizing the removal of obstructions from the Miami river, in Logan county.

H. B. No. 1027—Mr. Greene—To amend the first section of an act to enable the Commissioners of Clarke, Franklin, Miami, Pickaway and Pike counties to purchase toll-roads and convert them into free roads.

H. B. No. 924—Mr. Oglevee—To amend the act of May 14, 1878, entitled an act to amend, revise and consolidate the statutes relating to municipal corporations, to be known as title twelve, part one of the act to revise and consolidate the general statutes of Ohio, (Vol. 75, O. L., p. 161).

H. B. No. 911—Mr. Stubbs—To divide Gratis township, Preble county, into two election precincts.

H. B. No. 962—Mr. Sawyer—To create two election precincts in the township of Duchouquet, Auglaize county, State of Ohio.

H. B. No. 1056—Mr. Washburn—To authorize the Commissioners of Pike county to issue bonds for bridge purposes.

H. J. R. No. 124—Mr. Parker—Directing the Treasurer to turn over a safe in his office to the Warden of the Ohio Penitentiary.

H. B. No. 1052—Mr. Sawyer—To authorize the Board of Education of the Union School District of St. Mary's, Auglaize county, to levy and assess an additional tax.

H. B. No. 1053—Mr. Wasson—To authorize the Trustees of Mound Hill Cemetery to use a portion of the funds of said cemetery to improve a road leading to the same.

H. B. No. 1054—Mr. Morrey—To authorize the village of McConnellsville to transfer certain funds.

H. B. No. 443—Mr. Wolf—To authorize the election of one additional Judge of the Court of Common Pleas in the first subdivision of the seventh judicial district of the State of Ohio.

Attest:

L. A. BRUNNER, *Clerk*.

The President, in presence of the Senate, signed said bills and joint resolutions.

Mr. Sherrick submitted the following report:

The standing committee on Finance, to whom was referred H. B. No. 1008—Making appropriations for certain purposes for the fiscal year 1879, and the first quarter of the year 1880—having had the same under consideration, report it back, with the following amendments, and recommend its passage when so amended:

1. Strike out in line 10, section 1, "nine hundred," and insert: "eleven hundred."

2. Strike out in lines 21 and 22, section 1, "eleven hundred and fifty-five dollars and thirty-three cents," and insert: "fourteen hundred and fifty dollars."

3. Add after line 47: "For legislative contingent expenses, eight hundred dollars (\$800.00)."

4. For Imbecile Asylum, enclosures, fifteen hundred dollars.

5. For Penitentiary, for steam-heating, ten thousand dollars.

H. W. CURTISS,

THOS. M. BEER,

J. SHERRICK,

H. C. LORD.

The question being on agreeing to the amendments reported by the committee—

Amendment No. 1 was agreed to.

Mr. Owens moved to amend amendment No. 2 as follows:

Strike out the words "fourteen hundred and fifty dollars," and insert instead: "eighteen hundred and fifty dollars."

Which was agreed to.

Amendment No. 2, as amended, was then agreed to.

Amendments Nos. 3, 4 and 5 were agreed to.

Said amendments, reported by the committee, being agreed to, the bill was ordered to be engrossed, and its third reading and consideration made the special order of the hour for to-morrow at 10½ o'clock A.M.

Mr. Curtiss submitted the following report:

The standing committee on Benevolent Institutions, to whom was referred the nomination of Jacob Rohrheimer, of Cuyahoga county, as Trustee of the Institution for the Education of the Deaf and Dumb, having had the same under consideration, report it back, and recommend his confirmation.

H. W. CURTISS,

D. D. BEEBE,

C. F. KRIMMEL,

G. A. GROVE,

G. P. TYLER,

B. W. CARLISLE.

The question being on advising and consenting to said appointment, the yeas and nays were taken, and resulted—yeas 26, nays none, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Benson, Carlisle, Carson, Curtiss, Fisher, Grove, Howland, Irvine, Jackson of Perry, Joy, Kelley, Krimmel, Lord, McDonald, Owens, Parker, Richards, Sabine, Seitz, Sherrick, Steedman, Stokes, Tyler and Williams—26.

So the Senate advised and consented to said appointment.

Mr. Krimmel submitted the following report :

The standing committee on Benevolent Institutions, to whom was referred the nomination of Joseph Falkenbach, of Columbus, as Trustee of the Institution for the Education of the Blind—having had the same under consideration, report it back, and recommend his confirmation.

C. F. KRIMMEL,	B. W. CARLISLE,
GEO. P. TYLER,	H. W. CURTISS,
G. A. GROVE,	D. D. BEEBE.

The question being on advising and consenting to said appointment, the yeas and nays were taken, and resulted—yeas 21, nays none, as follow :

Those who voted in the affirmative were -

Messrs. Armstrong, Beebe, Benson, Carlisle, Carson, Curtiss, Fisher, Grove, Howland, Irvine, Jackson of Perry, Kelley, Krimmel, McDonald, Owens, Parker, Seitz, Steedman, Stokes, Tyler and Williams—21.

So the Senate advised and consented to said appointment.

Mr. Tyler submitted the following report :

The standing committee on Railroads, Telegraphs and Turnpikes, to whom was referred H. B. No. 1068—Relating to incorporated villages having a population of not less than two thousand three hundred and twenty-two, and not more than two thousand three hundred and twenty-four by the federal census of 1870—having had the same under consideration, report it back, and recommend its passage.

J. M. CARSON,	GEO. P. TYLER,
D. JOY,	J. C. FISHER.
H. SABINE,	

Said bill was ordered to be engrossed and read the third time to-morrow.

Mr. Marsh submitted the following report :

The standing committee on Municipal Corporations, to whom was referred H. B. No. 1045—To amend an act entitled an act to authorize the Council of the incorporated village of Middletown to issue bonds for the purchase of grounds, and the erection and completion of a town-hall, engine and hose-house and prison, passed February 4, 1878—having had the same under consideration, report it back, and recommend its passage.

THEO. MARSH,	G. A. GROVE,
JAS. B. STEEDMAN,	LYMAN J. JACKSON.
R. G. RICHARDS,	

Said bill was ordered to be engrossed and read the third time to-morrow.

Mr. Tyler submitted the following report :

The standing committee on Railroads, Telegraphs and Turnpikes, to

whom was referred H. B. No. 1021—Authorizing certain villages to build railroads, and to lease or operate the same having had the same under consideration, report it back, and recommend its passage.

GEO. P. TYLER, H. C. LORD,
H. SABINE, J. M. CARSON.
D. JOY,

Said bill was ordered to be engrossed and read the third time on Tuesday next.

Mr. Benson offered the following resolution :

S. R. No. 100: *Resolved by this Senate*, That his Excellency, Governor R. M. Bishop, be, and is hereby respectfully requested to nominate Dr. Charles S. Muscroft, of Hamilton county, for Trustee of Longview Asylum, for the term of five years.

Mr. Marsh gave notice of his intention to discuss said resolution, so it went over under the rule.

Mr. Marsh submitted the following report :

The standing committee on Municipal Corporations, to whom was referred H. B. No. 1047—To authorize the village of Batavia, Ohio, to transfer certain funds of said incorporated village to the building fund of said village—having had the same under consideration, report it back, and recommend its passage.

THEO. MARSH, JAS. B. STEEDMAN,
L. J. JACKSON, R. G. RICHARDS.

Said bill was ordered to be engrossed and read the third time tomorrow.

Mr. Marsh submitted the following report :

The standing committee on Municipal Corporations, to whom was referred H. B. No. 1048—To authorize the incorporated village of Batavia, Ohio, to issue bonds for the purpose of improving town-hall, purchasing ground, and building a village prison—having had the same under consideration, report it back, and recommend its passage.

THEO. MARSH, JAMES B. STEEDMAN,
R. G. RICHARDS, LYMAN J. JACKSON.

Said bill was ordered to be engrossed and read the third time tomorrow.

On motion of Mr. Marsh, the Senate adjourned.

Attest:

ALLEN O. MYERS, *Clerk*.

FRIDAY, June 6, 1879—10 o'clock A.M.

The Senate met pursuant to adjournment.

Prayer by Rev. I. F. Stidham.

The Journal was read and approved.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The House of Representatives has concurred in the passage of the following bill:

S. B. No. 216—Revising and consolidating the statutes relating to the Benevolent Institutions of the State—with the following amendments, in which the concurrence of the Senate is requested:

1. Page 257, title 5, chapter 1, section 1, line 1, strike out “commissioners or directors.”

2. Page 258, title 5, chapter 1, section 2, line 2, strike out “one mile of,” and insert: “one hundred and twenty rods of Longview Asylum or.”

3. Page 259, chapter 1, strike out section 4, and insert:

SEC. 4. The board of any benevolent institution shall be capable of receiving by gift, devise, or bequest, moneys, lands, or other property, for the benefit of such institution, or any of its inmates, and to hold and apply the same according to the terms of the donation.

4. Chapter 1, section 6, line 1, strike out “commissioner, director.”

5. Chapter 1, section 7, line 1, strike out “commissioner or director.”

6. Page 260, add at the end of chapter 1:

SEC. 9. All persons admitted into any institution, except as otherwise provided in chapters relating to particular institutions, shall be maintained at the expense of the state, subject only to the requirement that they shall be neatly and comfortably clothed, and their traveling and incidental expenses paid by themselves, or those having them in charge.

SEC. 10. If there be failure in any case to pay incidental expenses, or furnish the necessary clothing, the steward or other financial officer of the institution is hereby authorized to pay such expenses, and furnish the requisite clothing, and pay for the same out of the appropriation for the current expenses of the institution, keeping and reporting a separate account of the same. The account so drawn up, signed by such officer, countersigned by the superintendent, and sealed with the seal of the institution, shall be forwarded to the auditor of the county from which the person came, who shall pay the amount of said bill out of the county funds to the financial officer of the institution, to be audited to the current expense fund, and said auditor shall then proceed to collect the same, in the name of the state of Ohio, as other debts are collected.

SEC. 11. Trustees, superintendents, stewards, and assistant physicians of insane hospitals, shall each, before entering upon the discharge of their duties, take an oath, administered by proper authority, to discharge their duties in accordance with law, and to the best of their ability, which oath shall be filed in the office of the governor.

CHAPTER 2.

OF THE TRUSTEES.

SECTION

1. How boards of trustees constituted.
2. Same.
3. Trustees appointed by governor.
4. Residence of trustees. Number required for quorum.
5. Appointment of superintendents.
6. Trustees to make rules for government of institutions.
7. Appointment of subordinates.

SECTION

8. Bond of subordinates.
9. Trustees may be suspended.
10. Trustees may order purchase by contract.
11. Monthly and quarterly visitation by trustees.
12. Annual report required of trustees.
13. Special meetings.

SECTION 1. The control and management of the various state benevolent institutions, including the “Reform School for Boys,” and the “Girls’

Industrial Home," shall be under a board of four trustees to each institution, and the governor, who shall be "ex-officio," a member of each board, and entitled to a vote in all cases of a tie; the trustee oldest in office shall be president of his board, and preside at its meetings.

SEC. 2. Trustees shall be appointed as the terms of those now in office expire, for the period of four years each, together with such appointments upon the passage of this act as are necessary to make the number conform to that provided for in the preceding section; but in all institutions now having five trustees no successor shall be appointed for the term expiring in 1880.

SEC. 3. The trustees of all state benevolent institutions shall be appointed equally from the two leading political parties by the governor, by and with the advice and consent of the senate, and, except as otherwise provided by law, shall receive no compensation, but shall be entitled to receive their necessary expenses in attending to their duties, which shall be paid by the disbursing officer of their respective institutions. All vacancies in the office of trustee shall be filled in the same manner as the original appointment is made, and when occurring at any time before the expiration of the term of appointment, shall be only for the balance of the term. If vacancies occur when the senate is not in session, the governor may fill the same, but only until the senate again convenes.

SEC. 4. Not exceeding one trustee may be resident of the county in which his institution is located. Three shall be a quorum to do business, and two may approve accounts for the payment of current expenses, salaries, and upon contracts previously entered into by the board. Each board shall appoint a secretary, who may or may not be a member of the board, whose duty it shall be to keep a record of the meetings, and the proceedings of said board, and attest the same.

SEC. 5. The board of trustees shall appoint superintendents to the institutions under their charge, who shall hold the office for four years, unless for good cause shown, sooner removed by the trustees, and until their successors in office are appointed. Incompetency, gross neglect of duty, refusing to discharge the duties devolving upon him, or any conduct rendering it improper to continue longer at the head of the institution shall be deemed cause for the removal of any superintendent.

SEC. 6. The board shall establish such rules and regulations as may be deemed expedient for the government and management of their several institutions, and for securing economy and accountability in all their affairs, and all officers and employes shall strictly observe such rules and regulations, which may be changed at the pleasure of the board.

SEC. 7. Upon the nomination of superintendents, boards of trustees may appoint stewards, matrons, physicians, assistant physicians, and other needed officers, and may remove such appointees at pleasure. They shall fix the compensation of each, not exceeding the maximum prescribed by law. Either of the officers named in this section may be suspended by the superintendent, he to report the fact, and his reasons therefor, immediately to the board of trustees.

SEC. 8. Boards may require of any subordinate officer, or employe, a bond to the state, in such sum, upon such conditions, and with such sureties as may be approved by the board.

SEC. 9. Trustees may be, for cause not political, suspended by the governor, who shall immediately report the fact of suspension, with the

reasons therefor, to the senate, if in session at the time, and if the senate be not in session, upon the first day of its session thereafter, and if the senate approve the act of the governor for the reasons given, such approval shall vacate the office, and the governor shall proceed to fill the same in accordance with the provisions of this act. He may, if he deems it necessary, temporarily fill any vacancy caused by suspension.

SEC. 10. Whenever, in the opinion of any board of trustees, the interest of the state and of the institution under their charge will be subserved thereby, said board shall advertise for sealed bids to furnish at the institution any article or articles needed for its use, at such times and in such quantities as the superintendent may, from time to time, direct, each bid to be accompanied with a bond in such amount as the board shall direct, with good and sufficient surety that the bidder, if the contract is awarded to him, will faithfully fulfill and perform the contract on his part. All such contracts shall be awarded to the lowest bidder, and all provisions and supplies thus furnished shall be of good and wholesome quality, or the same may be rejected by the superintendent. The board shall in all cases reserve the right to reject all bids, and may readvertise or direct the purchase of such article or articles by private contract under such rules and regulations as they shall prescribe.

SEC. 11. Each institution shall be visited monthly by at least two of the trustees thereof, and thoroughly examined in all its parts, including the examination and approval of accounts and balance sheets of the financial officer of the institution, and shall also be visited quarterly by a majority of the board for the same purposes, at which meeting there shall be drawn up and placed on record a detailed statement of the condition of the institution, which record shall be subject to the order of the general assembly, and shall at all times be open to the inspection of the committees of the legislature on benevolent institutions.

SEC. 12. The board of trustees of each institution shall annually, after the close of the fiscal year, make to the governor a report of their official proceedings during the year (accompanied with a report by the superintendent and such others employed in the institution as the trustees may deem important), and of the condition, progress, and wants of the institution, together with an exhibit in detail of the receipts and expenditures, including a full list of all persons employed therein, and amounts paid to, or terms upon which said persons have been employed during the year. Said report shall also contain a summary statement of all contracts entered into during the year, including the names of all persons interested in such contracts.

SEC. 13. Special meetings of any board of trustees may be had on the call of the president thereof. Of such meeting, each member shall have three days' notice in writing, together with a summary statement of the purpose for which such meeting is called.

CHAPTER 3. OF THE OFFICERS.

SECTION

1. Superintendents, their duties, may appoint such subordinates as are necessary to the institution.
2. Steward to give bonds.
3. Under direction of superintendent to make purchases.
4. Shall keep accounts in detail, and settle monthly or oftener.

SECTION

5. Storekeeper to insane asylums, and duties.
6. Matron's duties.
7. Officers to reside in the institution.
8. Treasurer of state to advance money to steward.

SECTION 1. Superintendents shall be persons of acknowledged skill, ability, and experience in their profession, and of good moral character. They shall have control of the affairs of their respective institutions in all their departments, and shall be responsible to the trustees for the efficient management thereof, and for the faithful service of all persons employed therein. They may appoint such teachers, attendants, nurses, servants, or other persons, as may be necessary for the proper management of the institutions, assign them to their respective places and duties, and may at any time discharge them from service, keeping a record of the reasons for such discharge. Such appointees shall, however, be subject to discharge by the board. The superintendent of the institution for the deaf and dumb shall have power, by virtue of his office, to solemnize marriages.

SEC. 2. The steward or other financial officer of each institution, before entering upon the discharge of his duties, shall give bond to the state in the sum of ten thousand dollars, with sureties to the satisfaction of the board of trustees, conditioned that he will faithfully and honestly perform the duties of his office, and pay over and account for all moneys and property which may come into his hands by virtue of his office, belonging to the state or to any other person, which bond shall be filed in the office of the treasurer of state.

SEC. 3. Under the direction of the superintendent, the financial officer of each institution shall purchase all its supplies upon the best possible terms and lowest cash value. He shall also see that the grounds, buildings, and all other property belonging to the state are properly preserved and kept in order, and shall perform such other duties as are assigned him by the superintendent.

SEC. 4. The officer named in the preceding section, except as provided in the following section, shall keep an accurate account in detail, in proper books, which shall always be open to the inspection of the superintendent and trustees, and these books shall be correctly balanced on the fifteenth day of each month and closed at the end of each fiscal year, corresponding with the fiscal year of the state: there shall be prepared and submitted, for the inspection of the superintendent and trustees, on the fifteenth day of each month, an original and duplicate balance sheet taken from the books, which balance sheet shall show the balance of appropriations in the state treasury, the balance of donations or bequests of money, the balance of proceeds of the rent or sale of any grant or devise of lands or personal property, to be applied to the maintenance of insane persons, or to the general use of the asylum, or from any source whatever: also, the balance of money belonging to the asylum in the hands of the financial officer or subject to his draft in bank, or in the hands of any person, the receipts of the current month, and to what fund each belongs; these balance sheets shall also show a detailed statement of all receipts and disbursements during the month, together with the name of each payee and the prices paid; there shall be submitted with the balance sheet, the original bill of purchase, vouchers for the same, and receipts for all other disbursements of whatever kind, which bill of purchase, vouchers, and receipts, after being carefully folded and numbered, shall have indorsed on the back of each the signatures attached thereto, with the day, month, and year of payment; after the original and duplicate balance sheets have been indorsed by the superintendent and a majority of the trustees, the financial officer shall, within ten days thereafter, file the original balance sheet in the office of the

board of trustees, and the duplicate thereof, with the original bills of purchase, vouchers, and receipts pertaining thereto, he shall file in the office of the auditor of state, having previously taken an oath, to be indorsed on the balance sheet, that it is a full, true, and correct account of his stewardship for the preceding month, to the best of his knowledge and belief.

SEC. 5. In the manner provided in chapter two there shall be appointed to each insane asylum a competent person as bookkeeper and storekeeper, for the term of two years, unless sooner removed for cause, who shall keep all accounts of the asylum, receive and be responsible for all purchases made by the steward and delivered into his keeping, and shall examine, weigh, measure, or guage every article purchased by the steward for the domestic purposes of the asylum, and receipt to the steward for the same, stating quantity and quality; he shall make a monthly report to the medical superintendent and trustees of all articles on hand at the close of the preceding month, the quantity of all articles received during the month, and the quantity of all articles issued during the month to the different departments of the asylum, upon whose order delivered and to whom delivered, with receipts for the same; he shall give bond in the sum of five thousand dollars, for the faithful performance of his duties, and receive as compensation a sum to be fixed by the trustees, not exceeding six hundred dollars per annum, and his board in the asylum, (75 Vol., 64, § 12.)

SEC. 6. Matrons, under the direction of superintendents, and not otherwise, shall have the general supervision of the domestic arrangements of their institutions, and do all they can for the comfort and welfare of their inmates.

SEC. 7. Superintendents, stewards, and matrons shall reside in and devote their entire time to the interests of the institution with which they are connected.

SEC. 8. The treasurer of state may, from time to time, advance to the financial officer of each institution, on his own order, approved by the superintendent and a majority of the trustees, and upon a warrant from the auditor of state, to meet current expenses, a sum not exceeding three thousand dollars. No additional order shall be drawn upon the treasurer until the settlement required in section four shall have been satisfactorily made, and the amount previously drawn fully accounted for.

CHAPTER 4.

BOARD OF STATE CHARITIES.

SECTION

1. Appointment, term, and filling vacancies.
2. Powers and duties of the board.

SECTION

3. Appointment of secretary and his salary.
4. Annual report of the board.

SEC. 1. The governor shall appoint four persons, equally from the two leading political parties, who shall constitute a board of state charities, to serve without compensation. All appointments, at the expiration of the terms of the present incumbents, shall be for four years. The governor shall be ex-officio a member of said board, and the president thereof. Appointments to fill vacancies caused by death, resignation, or removal before the expiration of such terms, may be made for the residue of terms in the same manner as original appointments, (73 Vol., 165, § 1.)

SEC. 2. The board of state charities shall be provided with a suitable room in the state house. Regular meetings of the board shall be held quarterly, or oftener, if required. It may make such rules and orders for the regulation of its own proceedings as it may deem necessary. It shall investigate the whole system of public charities and correctional institutions of the state, examine into the condition and management thereof, especially of prisons, jails, infirmaries, public hospitals, and asylums, and shall recommend such changes and additional provisions as it may deem necessary for their economical and efficient administration. It shall constitute an advisory board, to whom all plans of public buildings may be referred for suggestion or approval, (73 Vol., 165, § 2.)

SEC. 3. The said board may appoint a secretary, who shall be paid for his services, in addition to his traveling expenses, an annual salary of not to exceed twelve hundred dollars, as may be agreed upon by the board. All accounts and expenditures shall be certified as may be provided by the board, and shall be paid by the treasurer upon an order from the auditor of state, (73 Vol., 165, § 3.)

SEC. 4. The board of state charities shall annually prepare and print, for the use of the legislature, a full and complete report of all its doings during the year preceding, stating fully and in detail all expenses incurred, all officers and agents employed, with a report of the secretary, embracing all the respective proceedings and expenses during the year, and showing the actual condition of all the state institutions coming under its examination, with such suggestions as it may deem necessary and pertinent, (73 Vol., 165, § 4.)

7. Strike out, commencing with "chapter 3," down to and including "institution," in line 1, section 6, page 264, and insert :

CHAPTER 5.

INSTITUTION FOR THE DEAF AND DUMB.

SECTION

1. Who may be admitted to the institution.
2. How long pupils may remain.
3. Trades and arts to be taught.

SECTION

4. Printing and binding under supervisor of printing, and how taught.
5. What printing and binding to be done.
6. Compensation of employes.

SECTION 1. The institution for the education of the deaf and dumb.

8. Insert, at the end of the chapter, as follows :

SEC. 6. Compensation to employes may be paid as follows: to the male teachers of the academic department, not exceeding twelve hundred dollars, each, per annum; the male teachers of the grammar department, not exceeding ten hundred and eighty dollars, each, per annum; the female teachers of the grammar department, not exceeding four hundred and fifty dollars, each, per annum; the male teachers of the primary department, not exceeding nine hundred dollars, each, per annum; the female teachers of the primary department, not exceeding three hundred and sixty dollars, each, per annum; the master of shoe shop, not exceeding seven hundred dollars per annum; the engineer, not exceeding one thousand dollars per annum, (75 Vol., 507, § 2.)

9. Strike out sections 12 and 13, of chapter 3.

10. Strike out, commencing with "chapter 4," down to and including "trustees," in line 1, section 13, page 263, and insert :

CHAPTER 6.

INSTITUTION FOR THE BLIND.

SECTION

1. Who may be received as pupils.
2. Pupils admitted—how long to remain.
3. Persons received to learn trades, in certain cases may return.

SECTION

4. Non-residents admitted.
5. Six hundred dollars may be expended for books and maps.
6. Compensation to employes.

11. Add, at end of chapter :

SEC. 6. Compensation shall be paid the following named officers and employes at not exceeding the sums herein stated : to the assistant matrons, three hundred dollars, each, per year ; the house-keeper, three hundred dollars per year ; the principal teacher in the literary department, seven hundred dollars per year ; all other teachers in the literary department, four hundred and fifty dollars, each, per year ; the professor of music, one thousand dollars per year ; all other teachers of music, three hundred dollars, each, per year ; the teacher of bead work, one hundred and fifty dollars per year ; the foreman of broom shop, six hundred dollars per year ; the engineer, one thousand dollars per year, (75 Vol., 150, § 4).

12. Strike out, commencing with "chapter 5," down to and including "youth", in section 5, line 1, page 277, and insert :

CHAPTER 7.

INSTITUTION FOR FEEBLE MINDED YOUTH.

SECTION

1. Who may be admitted.
2. Forms of admission to be prepared, published, and distributed.

SECTION

3. Others may be admitted, and terms.
4. Trades to be taught so far as practicable.

SECTION 1. The trustees of the institution for feeble minded youth are authorized to admit into the institution all youth of this class.

13. Strike out all of section 5, after the word "schools," in line 4.
14. Strike out sections 9, 10, 11, 12 and 13.
15. Strike out chapter 6, and insert :

CHAPTER 8.

OHIO SOLDIERS' AND SAILORS' ORPHANS' HOME.

SECTION

1. Who may be received as pupils, and how long to remain.
2. Rules to be observed by the board in the admission of children.
3. Trades and arts to be taught.
4. Workshops.
5. Purchase of material and disposition of products.

SECTION

6. Studies of pupils.
7. All must learn trades, and shall be entitled to their earnings.
8. Care for pupils after discharge, and manner of teaching trades.

SECTION 1. There shall be received into the Ohio soldiers' and sailors' orphans' home the children, residing in Ohio, of such soldiers and sailors as lost their lives in the land or naval service of the United States in the late civil war, or who have died by reason of wounds received or dis-

ease contracted in said service, that are found to be destitute of the means of support and education; and if there are not sufficient applications for admission of this class to fill the home, the board may admit the children of those soldiers and sailors of said service who have since died from any cause, if found destitute, as aforesaid; and if the applications of both said classes are not sufficient to fill the home, the board may admit the children of permanently disabled or indigent soldiers and sailors of said service, found destitute, as aforesaid; and all children admitted shall be supported and educated till they are sixteen years of age, unless for good cause sooner discharged; and the board may retain any of said children till they are eighteen years of age, if it is deemed advisable.

SEC. 2. The board shall, in the admission of children, observe the rules prescribed in the foregoing section; and every county shall be entitled to its proportion according to population of the whole number that the home will accommodate, and no county is permitted to have an excess over its proportion while there are applications on file from counties not having the full proportion of the same grade.

SEC. 3. The trustees of the home shall afford to all the pupils under their charge such agricultural, horticultural, technical, industrial and art education as can be made accessible to them.

SEC. 4. They shall establish, in the grounds of the home, shops wherein suitable trades may be taught and practiced, and the trustees, and under their regulations the superintendent shall have power to employ the proper persons to teach such trades to the pupils under their charge, and to dismiss such instructors for cause.

SEC. 5. The trustees, and, under their direction, the superintendent, shall have the power to purchase the material, tools, and machinery necessary to carry out the purposes of this chapter, and to dispose of the productions of the pupils to the best advantage of the institution, accounting for the proceeds and expenditures in their annual report; also, they, and under their direction, the superintendent, are further empowered to make arrangements with the conductors or proprietors of industrial establishments, or occupations, situated outside of the home, to place, for part or all of their time, such pupils with them as may desire this, for the purpose of learning such trades or occupations.

SEC. 6. The curriculum of studies at the home for those having passed the thirteenth year shall be such as to assist them most effectually in their future pursuits. The division and assignment into schools and classes shall be so regulated that pupils may have the benefit of instruction in approved literary branches, at such hours as would appear to be most practicable, be they given in evening schools, half time schools, or in schools during certain seasons only.

SEC. 7. Wages earned by pupils outside of the home shall belong to them. Those working inside the institution shall be entitled, on their discharge, to the net earnings during the two years previous, to be approximated by the trustees, and, under their direction, by the superintendent. The pupils shall have the right to select for themselves such trade or occupation as they may wish to engage in; but every pupil, male or female, remaining in the institution after having completed his or her fourteenth year, except in cases of debility or ill health, must devote himself or herself, for part of his or her remaining time, to the learning of one of the occupations to be provided for.

SEC. 8. The trustees shall, so far as practicable, keep in communica-

tion with the pupils after their discharge from the institution, to able to report to the governor and general assembly in regard to these children of the state, and whatever branches of industry the trustees may find proper to introduce, they shall endeavor to have them taught and practiced in such thorough and comprehensive manner that the Ohio soldiers' and sailors' orphans' home shall be considered a model school for that particular branch of industry.

16. Strike out, commencing with "chapter 7," down to and including "infirmary," in 38th division of title, and insert:

CHAPTER 9.

HOSPITALS FOR THE INSANE.

SECTION

1. Names of the hospitals, and how governed.
2. Counties embraced in each hospital district.
3. Admission of patients, and their support.
4. When patients may be transferred.
5. Proceedings on application for admission.
6. Warrant of probate judge and subpoenas for witnesses.
7. Examination and certificate of physician.
8. Disposition of patient after hearing in court.
9. Clothing of patient on admission.
10. Proceedings when patient cannot be received.
11. Dangerous lunatics to be confined.
12. How uncured patient discharged and removed.

SECTION

13. Money to be furnished to cured patient.
14. Selection of patients.
15. When discharged patient becomes again insane.
16. Patient entitled to writ of habeas corpus.
17. Records of inquests of insanity to be preserved.
18. What to be done upon the death of a patient.
19. Escaped patients to be arrested and returned.
20. Discharge on request of relatives.
21. Prosecuting attorneys to conduct suits for hospitals.
22. Costs and fees.
23. Definition of terms used in this chapter.
24. As to removal or discharge from infirmary.

17. Strike out after section 2, to and including section 16, page 293.

18. Strike out, commencing with "chapter 9," to and including "school," in line 1, section 7, page 316, and insert:

CHAPTER 10.

REFORM SCHOOLS.

SECTION

1. Object of the school, and term for which youth to be committed thereto.
2. Who may be committed thereto, and for what.
3. Also convict youth may be committed.
4. Also youth charged before a grand jury, on its recommendation.
5. Cause of commitment to appear in papers.
6. Inmates may be apprenticed.
7. Fugitives from the school may be arrested and returned.
8. Costs and expenses to be paid by county.

SECTION

9. What education and training inmates to receive.
10. Governor may remove youth from the penitentiary or house of refuge to the school.
11. Subordinates and employes to participate with the inmates in labor and exercises.
12. Board may purchase material and sell products.
13. The lands of the school a special road district, of which the acting commissioner shall be supervisor.

SEC. 1. The reform school situate in Fairfield county.

19. Section 11, line 3, strike out "commissioners," and insert "trustees."

20. Section 12, line 1, strike out "commissioners," and insert "trustees."

21. Strike out section 20.

22. Strike out, commencing with "chapter 10," to and including section 3, and insert:

CHAPTER 11.

GIRLS' INDUSTRIAL HOME.

SECTION

1. Object of the home.
2. A visiting committee of women shall be appointed by the governor.
3. Organization of the committee; its duties, etc.; its report.
4. The board shall direct the general management of the farm; the superintendent shall keep the accounts of the institution.
5. When a girl is brought before a probate court, the judge shall, etc.
6. Proceedings in the case: commitment to the home.
7. Fees: the girl may demand a trial by jury.
8. The governor may remove a female convict to the home.
9. Detention and discharge of girls who are committed.

SECTION

10. Proceedings when a girl is charged with a criminal offense.
11. Girls may be apprenticed by the trustees.
12. As to transfer of indenture.
13. In case of ill treatment, an apprenticed girl shall be discharged from service and returned to the home.
14. The trustees shall be guardians of apprenticed girls.
15. The superintendent, etc., shall have general charge of the girls, etc.
16. Bond of the superintendent; responsibility, and duties.
17. Debts shall not be contracted in excess of appropriations.

SECTION 1. The girls' industrial home shall be for the instruction, employment, and reformation of evil-disposed, incorrigible, and vicious girls, (75 Vol., 144, § 1.)

23. In chapter 8, strike out section 4 $\frac{1}{2}$.

24. In section 6, chapter 8, line 6, after the word "superintendent," insert the following: "which shall show the annual cost per capita of the inmates, and the percentage of admissions, discharges and cures."

25. In section 9, chapter 8, line 5, strike out the words "appoint a committee from among their own number", and insert the word "proceed."

26. In section 9, chapter 8, lines 6 and 7, strike out the words "and report to the board at a subsequent meeting," and insert the following: "and the board shall have power to compel the attendance of witnesses and the production of books and papers, and the president of the board shall have authority to administer the necessary oaths."

28. In section 18, chapter 8, line 8, strike out the words "superintendent of the asylum," and insert: "probate judge."

29. In chapter 8, strike out section 21.

30. Page 313, strike out section 32.

31. Page 307, section 8, line 1, after the word "directors," strike out "shall, upon the recommendation of the superintendent", and insert in lieu thereof "may;" and in line two of same section, after the word "institution," insert: "except the superintendent."

32. Page 308, end of section 10, add: "and he may remove or suspend any of the resident officers or employes of the institutions; he to report the fact and his reasons therefor, immediately to the board of directors."

33. Page 312, section 22, line 3, before the word "persons," strike out "such" and insert "any;" and in same line and section, after the word "persons," insert: "received from Longview Asylum."

34. Page 305, section 1, line 4, strike out everything after the word "steward", and insert: "and other needed officers."

35. Page 306, section 4, line 5, strike out "assistance", and insert: "officers and employes."

36. Page 265, chapter 3, strike out section 8.

37. Page 275, chapter 4, strike out section 15.

38. In section 14, chapter 4, page 274, line 3, strike out the words "indigent orphans," and insert: "for special reasons."

39. Strike out section 6.

40. Strike out sections 20 and 21.

Change number of all sections to correspond.

In definition of chapters at head of title 5, make chapter 3, "Institution for the Deaf and Dumb"; chapter 4, "Institution for the Blind"; and chapter 5, "Institution for Feeble-Minded Youth."

27. Section 13, line 1, after the word "two", insert: "or more".

Attest:

L. A. BRUNNER, *Clerk*.

On motion of Mr. Parker, said bill and amendments were referred to the committee on the Judiciary.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has concurred in the passage of the following bill:

S. B. No. 323—Mr. Beebe—To authorize the Commissioners of Summit county to transfer certain funds—with the following amendment, in which the concurrence of the Senate is requested:

In line 2, section 1, after the word "they", insert "are".

Attest:

L. A. BRUNNER, *Clerk*.

The question being on concurring in said amendment, the yeas and nays were taken, and resulted—yeas 25, nays none, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Beer, Benson, Carlisle, Carson, Curtiss, Dungan, Fisher, Forrest, Grove, Jackson of Clinton, Johnston, Joy, Krimmel, Lord, Marsh, McDonald, Parker, Richards, Sabine, Seitz, Steedman, Stokes, Tyler and Williams—25.

So the Senate concurred in said amendment.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has adopted the following joint resolution, in which the concurrence of the Senate is requested:

H. J. R. No. 128—Mr. Williams—Requesting the Secretary of State to return the enrolled copy of H. B. No. 894.

Attest:

L. A. BRUNNER, *Clerk*.

The question being on the adoption of said joint resolution, the yeas and nays were taken, and resulted — yeas 22, nays none, as follow :

Those who voted in the affirmative were —

Messrs. Armstrong, Beer, Benson, Carlisle, Carson, Curtiss, Dungan, Forrest, Jackson of Clinton, Johnston, Joy, Krimmel, Lord, Marsh, McDonald, Parker, Richards, Seitz, Sherrick, Stokes, Tyler and Williams — 22.

So said joint resolution was adopted.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The House of Representatives has passed the following bill, in which the concurrence of the Senate is requested :

H. B. No. 965 — Mr. Kerr — To amend an act entitled an act to amend an act passed April 6, 1866, entitled an act concerning Notaries Public and Commissioners, and their duties, passed March 13, 1856, as amended April 11, 1876, (O. L., Vol. 73, p. 206.)

Attest :

L. A. BRUNNER, *Clerk.*

Mr. Richards moved that the constitutional rule, requiring bills to be read on three different days, be suspended, that H. B. No. 965 may be read the second time.

On which motion the yeas and nays were taken, and resulted yeas 27, nays none, as follows :

Those who voted in the affirmative were —

Messrs. Armstrong, Benson, Carlisle, Carson, Curtiss, Dungan, Fisher, Grove, Jackson of Clinton, Jackson of Perry, Johnston, Joy, Krimmel, Lord, Marsh, McDonald, Owens, Parker, Richards, Sabine, Seitz, Sherrick, Steedman, Stokes, Tyler, Wagener and Williams — 27.

So the motion was agreed to, and the bill was read the second time, and referred to the committee on the Judiciary.

Bills were read the second time and referred, as follows :

H. B. No. 1071 — Mr. Reed of Ross — To authorize the City Council of the city of Chillicothe to invest a surplus fund in United States or other securities.

Committee on Finance.

H. B. No. 1069 — Mr. Washburn — To amend section one of an act entitled an act to authorize the Commissioners of Pike county to build an improved road, and the Board of Public Works to grant certain rights.

Committee on Railroads, Telegraphs and Turnpikes.

H. B. No. 1070 — Mr. Baker — For the relief of Allan Cremean.

Committee on Finance.

H. B. No. 1064 — Mr. Levering — Supplementary to an act entitled an act further providing for converting toll-roads into free roads, passed May 3, 1873, (S., p. 3104.)

Committee on Roads and Highways.

H. B. No. 618 — Mr. Cowgill — To amend sections one and two of an act to provide for the erection of a monument to the memory of General Simon Kenton, passed May 1, 1854, (O. L., Vol. 52, p. 87.)

Committee on Finance.

The Senate then proceeded to the special order of the hour for 10½ o'clock, viz. :

Amended H. B. No. 1008—Mr. Levering—Making appropriations for certain purposes for the fiscal year 1879, and the first quarter of the year 1880.

Said bill was read the third time.

Mr. Joy moved to refer the bill to a select committee of one, with instructions to amend as follows:

Add after "penitentiary": "for extension of gas works, two thousand dollars (2,000.00)."

Which was agreed to, and Mr. Joy was appointed such committee, and reported the bill back amended as instructed.

Mr. Sherrick moved to refer the bill to a select committee of one, with instructions to amend as follows:

Add after "For Legislature": "*per diem* and mileage of members of the general assembly, and *per diem* of clerks, assistant clerks, sergeant-at-arms, assistant sergeant-at-arms, and payment of messengers, pages and other employes, fifteen hundred dollars."

Which was agreed to, and Mr. Sherrick was appointed such committee, and reported the bill back amended as instructed.

Mr. Sabine moved to refer the bill to a select committee of one, with instructions to amend as follows:

"For the Girls' Industrial Home, for hose and repair of fire apparatus for the industrial school for girls, \$500."

Which was agreed to, and Mr. Sabine was appointed such committee, and reported the bill back amended as instructed.

Mr. Owens moved to refer the bill to a select committee of one, with instructions to amend as follows:

After the words "For Legislature," add: "contingent expenses"; strike out the word "eight," and insert the word "fifteen."

Which was agreed to, and Mr. Owens was appointed such committee, and reported the bill back amended as instructed.

Mr. Steedman moved to refer the bill to a select committee of one, with instructions to amend as follows:

To amend by adding after "penitentiary": "for soldiers' and sailors' orphans' home, four hundred and eighty dollars $\frac{65}{100}$, to pay James B. Muroe for furnishing materials and painting school building."

Which was agreed to, and Mr. Steedman was appointed such committee, and reported the bill back amended as instructed.

Mr. Benson moved to refer the bill to a select committee of one, with instructions to amend as follows:

Add after "For Industrial School for Girls": "for the purpose of erecting a telegraph line to Delaware, five hundred dollars (\$500)."

Which was agreed to, and Mr. Benson was appointed such committee, and reported the bill back amended as instructed.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 24, nays 3, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Dungan, Grove, Jackson of Clinton, Jackson of Perry, Joy, Krimmel, Lord, Marsh, McDonald, Owens, Parker, Richards, Sabine, Sherrick, Steedman, Stokes, Tyler, Wagener and Williams—24.

Those who voted in the negative were—

Messrs. Fisher, Forrest and Seitz—3.

So the bill passed. The title was agreed to.

H. B. No. 1068—Mr. Parker—Relating to incorporated villages having a population of not less than two thousand three hundred and twenty-two, and not more than two thousand three hundred and twenty-four by the federal census of 1870—was read the third time.

Mr. Marsh moved to refer the bill to a select committee of one, with instructions to amend as follows :

Section 1, line 13, strike out "seven," and insert "six."

Which was agreed to, and Mr. Marsh was appointed such committee, and reported the bill back amended as instructed.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 21, nays 5, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Carson, Curtiss, Dungan, Grove, Jackson of Clinton, Jackson of Perry, Joy, Krimmel, Lord, McDonald, Owens, Sabine, Steedman, Tyler, Wagener and Williams—21.

Those who voted in the negative were—

Messrs. Fisher, Forrest, Johnston, Saltzgaber and Seitz—5.

So the bill passed. The title was agreed to.

H. B. No. 1045—Mr. Clough—To amend an act entitled an act to authorize the Council of the incorporated village of Middletown to issue bonds for the purchase of grounds, and the erection and completion of a town-hall, engine and hose-house and prison, passed February 4, 1878—was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 27, nays none, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Carson, Curtiss, Dungan, Fisher, Forrest, Grove, Jackson of Clinton, Jackson of Perry, Johnston, Joy, Krimmel, Lord, Marsh, McDonald, Owens, Richards, Sabine, Steedman, Stokes, Tyler, Wagener and Williams—27.

So the bill passed. The title was agreed to.

H. B. No. 1047—Mr. Crosson—To authorize the village of Batavia, Ohio, to transfer certain funds of said incorporated village to the building fund of said village—was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 25, nays none, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Carson, Curtiss, Dungan, Fisher, Grove, Jackson of Perry, Johnston, Krimmel, Lord, Marsh, McDonald, Owens, Richards, Sabine, Seitz, Steedman, Stokes, Tyler, Wagener and Williams—25.

So the bill passed. The title was agreed to.

H. B. No. 1048—Mr. Crosson—To authorize the incorporated village of Batavia, Ohio, to issue bonds for the purpose of improving town-hall, purchasing ground, and building a village prison—was read the third time.

Mr. Seitz moved to refer the bill to a select committee of one, with instructions to amend as follows :

In section 1, line 7, strike out the word "seven", and insert "six."

Which was agreed to, and Mr. Seitz was appointed such committee, and reported the bill back amended as instructed.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 24, nays none, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Carson, Curtiss, Dungan, Grove, Jackson of Clinton, Jackson of Perry, Johnston, Joy, Krimmel, Lord, Marsh, McDonald, Owens, Richards, Sabine, Steedman, Stokes, Tyler and Williams—24.

So the bill passed. The title was agreed to.

S. B. No. 353—Mr. Armstrong—To authorize a lease of part of the public works—was read the third time.

On motion of Mr. Marsh, the Senate took a recess.

THREE O'CLOCK P.M.

When the Senate took a recess, it had under consideration S. B. No. 353. The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 7, nays 23, as follow :

Those who voted in the affirmative were—

Messrs. Curtiss, Dungan, Lord, Marsh, Parker, Seitz and Steedman—7.

Those who voted in the negative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Fisher, Forrest, Grove, Howland, Irvine, Jackson of Clinton, Johnston, Kelley, Krimmel, McDonald, Owens, Richards, Sabine, Saltzgaber, Stokes, Tyler, Wagener and Williams—23.

So the bill, having failed to receive a constitutional majority, was lost.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The House of Representatives has passed the following bill, in which the concurrence of the Senate is requested :

Substitute for H. B. No. 704—Mr. Foster—To establish Civil Courts in cities of the first class.

Attest :

L. A. BRUNNER, *Clerk.*

Said bill was read the first time.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The House of Representatives has concurred in Senate amendments to the following bills :

H. B. No. 1068, by Mr. Parker ; H. B. No. 1048, by Mr. Crosson.

H. B. No. 566—Mr. Wright—Relating to the election of Representatives in the Congress of the United States.

H. B. No. 1061—Mr. Luccock—Authorizing the Commissioners of Guernsey county to deposit county funds in bank.

Attest :

L. A. BRUNNER, *Clerk.*

Mr. Dungan submitted the following report :

The joint committee on Enrollment has examined, and found correctly enrolled, the following bills joint resolution :

S. B. No. 377—To provide for the payment of the amounts of assessments in excess of twenty-five per cent. of the value of the lots or lands assessed for an improvement, in cities of the first grade of the first class.

H. B. No. 751—To transfer territory for school purposes.

H. B. No. 1063—To amend sections two and twenty-seven, of title three, chapter two, in the code of Ohio.

Substitute for H. B. No. 743.—To authorize the Trustees of Clinton township, Seneca county, Ohio, to levy a tax to macadamize and improve the roads and highways in said township.

H. B. No. 1030—To amend section twenty-five, of chapter eleven, of title 7, (public ways), of part second.

Substitute for H. B. No. 1025 —To allow certain village school districts to have Boards of School Examiners.

H. B. No. 995—To create two voting precincts in township of Berne, Fairfield county.

H. B. No. 1016—To authorize the Commissioners of Hardin county to pay the indebtedness of the Agricultural Society of said county.

Substitute for H. B. No. 608—To restrict the limits of the third judicial district; to define the several sub-divisions thereof; to form and establish a new district within its original limits, and to abolish the fourth sub-division thereof.

H. J. R. No. 89—As to draining certain basins in Auglaize county, Ohio.

IRVINE DUNGAN,	C. R. HARMON,
R. G. RICHARDS,	F. M. CARTER,
C. F. KRIMMEL,	E. S. PERKINS,
WM. JESSUP,	J. W. WASHBURN.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The Speaker of the House of Representatives has, in the presence of the House, signed the following bills:

H. B. No. 751—Mr. Mack—To transfer territory for school purposes.

H. B. No. 1063 —Mr. Bloom—To amend sections two and twenty-seven, of title three, chapter two, in the code of Ohio.

H. B. No. 743—Mr. Norton —To authorize the Trustees of Clinton township, Seneca county, to levy a tax to macadamize and improve the roads and highways in said township.

H. B. No. 1030—Mr. Achauer—To amend section twenty-five, of chapter eleven, title seven, (public ways), of part second.

H. B. No. 995—Mr. Seifert—To create two voting precincts in the township of Berne, Fairfield county.

H. B. No. 1025—Mr. Washburn—To allow certain village school districts to have Boards of School Examiners.

S. B. No. 377—Mr. Marsh—To provide for the payment of the amounts of assessments in excess of twenty-five per cent. of the value of the lots or lands assessed for an improvement in cities of the first grade of the first class.

Attest:

L. A. BRUNNER, *Clerk.*

The President, in presence of the Senate, signed said bills.

The Senate then proceeded to the consideration of—

H. B. No. 53 —Mr. Reed of Ross—To amend section one of an act passed March 27, 1875, (O. L., Vol. 72, p. 85), entitled an act to amend section

one of an act entitled an act to fix the rates of toll on turnpikes and plank road companies, passed March 16, 1875, (S. & S.), p. 147.)

Mr. Forrest moved that said bill be laid on the table.

Which was agreed to.

Mr. Forrest submitted the following report :

The standing committee on Judiciary, to whom was referred S. B. No. 216, with amendments agreed to in the House of Representatives—having had the same under consideration, report same back, and recommend that the Senate concur in the House amendments.

W. T. FORREST,	G. M. SALTZGABER,
IRVINE DUNGAN,	LYMAN J. JACKSON,
D. WAGENER,	W. R. HOWLAND.

The question being on concurring in said House amendments, the yeas and nays were ordered, taken, and resulted—yeas 21, nays 10, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Benson, Carlisle, Carson, Dungan, Fisher, Forrest, Grove, Irvine, Jackson of Perry, Krimmel, Marsh, McDonald, Parker, Saltzgaber, Steedman, Stokes, Tyler, Wagener and Williams—20.

Those who voted in the negative were—

Messrs. Beebe, Beer, Howland, Jackson of Clinton, Johnston, Kelley, Lord, Richards, Sabine and Seitz—10.

So the Senate concurred in said House amendment, and the report of the Judiciary committee was agreed to.

Mr. Forrest moved that the vote whereby said House amendments were agreed to be reconsidered.

Which was agreed to.

On motion of Mr. Forrest, said bill was referred to the joint committee on Consolidated Laws.

Mr. Marsh submitted the following report :

The standing committee on Municipal Corporations, to whom was referred H. B. No. 879—To authorize the Commissioners of Champaign county to build a bridge across the P., C. & St. L. R. R. and the A. & G. W. R. R., connecting Walnut and Laurel Oak streets in the city of Urbana, in said county—having had the same under consideration, report it back, with the following amendments, and recommend its passage when so amended :

Strike out of the title the words “connecting Walnut and Laurel Oak streets.”

Strike out of section 1, all after the word “at,” in line 4, to the word “at,” in line 6, and insert: “such point in the corporate limits of said city as may be agreed upon between the council thereof and the commissioners of said county.”

THEO. MARSH,	G. M. SALTZGABER,
G. A. GROVE,	LYMAN J. JACKSON,
JAS. B. STEEDMAN,	R. G. RICHARDS.

Said amendments were agreed to, and the bill was ordered to be engrossed and read the third time on Tuesday next.

Mr. Jackson of Clinton, on leave, introduced the following bill, which was read the first time :

S. B. No. 383—To establish an additional Institution for the education and care of deaf mutes of this State.

Mr. Beer submitted the following report :

The standing committee on Finance, to whom was referred S. B. No.

382—To provide for securing title to land and park purposes in certain cities—having had the same under consideration, report it back, and recommend its passage.

J. SHERRICK,
JOHN SEITZ,
H. C. LORD,

H. W. CURTISS,
THOS. M. BEER,
J. M. CARSON.

Said bill was ordered to be engrossed and read the third time on Monday next.

Mr. Armstrong submitted the following report:

The standing committee on Claims, to whom was referred H. B. No. 857—For the relief of Theo. Dickman—having had the same under consideration, report it back, and recommend its passage.

J. M. ARMSTRONG,
J. C. McDONALD,
H. SABINE,

J. B. WILLIAMS,
D. D. BEEBE,
C. S. PARKER.

Said bill was ordered to be engrossed and read the third time to-morrow.

Mr. Saltzgaber submitted the following report:

The standing committee on Public Works and Public Lands, to whom was referred Amende H. B. No. 956—To provide for clearing the channel of Big Beaver river, to secure an outlet for the waste-water from the Mercer County Reservoir, and advance the interest of the public works—having had the same under consideration, report it back, with the following amendment, and recommend its passage when so amended:

In line 4, section 4, strike out "seven," and insert "six."

JAMES B. STEEDMAN, H. C. LORD,
LYMAN J. JACKSON, G. A. GROVE.
G. M. SELTZGABER,

Said amendment was agreed to, and the bill was ordered to be engrossed and read the third time to-morrow.

Mr. Seitz submitted the following report:

The standing committee on Finance, to whom was referred H. B. No. 791—To authorize municipal corporations and townships to levy taxes for special improvements and for the payment of debts—having had the same under consideration, report it back, and recommend its passage.

J. SHERRICK, H. W. CURTISS,
J. C. FISHER, THOS. M. BEER,
J. M. CARSON, JOHN SEITZ.
H. C. LORD,

Said bill was ordered to be engrossed and read the third time to-morrow.

Mr. Tyler submitted the following report:

The standing committee on Railroads, Telegraphs and Turnpikes, to whom was referred H. B. No. 1069—To amend section one of an act entitled an act to authorize the Commissioners of Pike county to build an improved road and the Board of Public Works to grant certain rights—having had the same under consideration, report it back, with the following amendment, and recommend its passage when so amended:

At the end of section two, add: "and said original section one is hereby repealed."

GEO. P. TYLER,
H. C. LORD,
J. M. CARSON,

THOS. M. BEER,
H. SABINE,
DAVID JOY.

Said amendment were agreed to, and the bill was ordered to be engrossed and read the third time on Monday next.

Mr. Dungan submitted the following report:

The standing committee on Corporations other than Municipal, to whom was referred H. B. No. 891—To amend section one of an act entitled an act to provide for the administration of property given for the promotion science, art, and like purposes, and to protect the same from waste, passed May 4, 1878, (O. L., Vol. 75, p. 135)—having had the same under consideration, report it back, with the recommendation that it be passed.

IRVINE DUNGAN,
J. SHERRICK,

J. M. ARMSTRONG,
GEO. P. TYLER.

Said bill was ordered to be engrossed and read the third time tomorrow.

Mr. Stokes submitted the following report:

The standing committee on Agriculture, to whom was referred H. B. No. 1058—To authorize the Commissioners of Delaware county to pay the indebtedness of the Agricultural Society of said county—having had the same under consideration, report it back, and recommend its passage.

W. H. STOKES, B. W. CARLISLE,
J. B. WILLIAMS, J. M. CARSON,
JOHN H. BENSON, H. SABINE.
THOS. S. JACKSON,

Said bill was ordered to be engrossed and read the third time tomorrow.

Mr. Dungan submitted the following report:

The standing committee on Corporations other than Municipal, to whom was referred S. B. No. 378—To authorize the Commissioners of Ross county, Ohio, to divide the township of Liberty, in said county—having had the same under consideration, report it back, and recommend its indefinite postponement.

IRVINE DUNGAN,
J. SHERRICK,

J. M. ARMSTRONG,
GEO. P. TYLER.

Said report was agreed to.

On motion of Mr. Richards, the Senate adjourned.

Attest:

ALLEN O. MYERS, *Clerk.*

SATURDAY, June 7, 1879—10 o'clock A.M.

The Senate met pursuant to adjournment.

Prayer by Rev. I. F. Stidham.

The Journal was read and approved.

Mr. Benson presented the remonstrance of J. Cooper and 52 other citizens of Mt. Vernon, Knox county, against the passage of H. B. No. 1003.

Which was referred to the committee on Railroads, Telegraphs and Turnpikes.

Bills were read the second time and referred, as follows:

H. B. No. 704—Mr. Foster—To establish Civil Courts in cities of the first class.

Committee on the Judiciary.

S. B. No. 383—Mr. Jackson of Clinton—To establish an additional Institution for the education and care of deaf mutes of this State.

Committee on Benevolent Institutions.

H. B. No. 857—Mr. Sawyer—For the relief of Theo. Dickman—was read the third time.

The question being “Shall the bill pass?” the yeas and nays were taken, and resulted—yeas 20, nays none, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Carson, Fisher, Forrest, Irvine, Jackson of Perry, Johnston, Marsh, McDonald, Parker, Richards, Saltzgaber, Seitz, Steedman, Wagener and Williams—20.

So the bill passed. The title was agreed to.

H. B. No. 956—Mr. Marsh—To provide for clearing the channel of Big Beaver river, to secure an outlet for the waste-water from the Mercer County Reservoir, and advance the interest of the public works—was read the third time.

Mr. Saltzgaber moved that the bill be laid on the table.

Which was agreed to.

H. B. No. 791—Mr. Covert—To authorize cities, counties, villages and townships to levy taxes for special improvements, and for the payment of debts—was read the third time.

On motion of Mr. Beer, said bill was laid on the table.

H. B. No. 1058—Mr. Elliott—To authorize the Commissioners of Delaware county to pay the indebtedness of the Agricultural Society of said county—was read the third time.

The question being “Shall the bill pass?” the yeas and nays were taken, and resulted—yeas 18, nays 2, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Carlisle, Carson, Fisher, Irvine, Jackson of Perry, Johnston, Krimmel, Lord, Marsh, McDonald, Richards, Sabine, Steedman, Wagener and Williams—18.

Those who voted in the negative were—

Messrs. Parker and Seitz—2.

So the bill passed. The title was agreed to.

H. B. No. 891—Mr. Alexander—To amend section one of an act entitled an act to provide for the administration of property given for the promotion of science, art, and like purposes, and to protect the same from waste, passed May 7, 1878, (O. L., Vol. 75, p. 135)—was read the third time.

On motion of Mr. Jackson of Perry, the bill was laid on the table.

Mr. Steedman presented a preamble and resolutions of the City Council of the city of Columbus, in reference to H. B. No. 836, which, on his motion, was laid on the table.

Mr. Steedman moved that H. B. No. 879 be taken from its order on the calendar, and considered now.

Which was agreed to.

Said bill was then read the third time.

Mr. Seitz moved to refer the bill to a select committee of one, with instructions to amend as follows:

In section 2, line 4, strike out “seven”, and insert “six”.

Which was agreed to, and Mr. Seitz was appointed such committee, and reported the bill back amended as instructed.

The question being “Shall the bill pass?” the yeas and nays were taken, and resulted—yeas 22, nays none, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Beer, Benson, Carlisle, Carson, Dungan, Fisher,

Irvine, Jackson of Perry, Johnston, Krimmel, Lord, Marsh, McDonald, Parker, Richards, Sabine, Saltzgaber, Seitz, Steedman, Wagener and Williams—22.

So the bill passed. The title was agreed to.

MESSAGE FROM THE GOVERNOR.

THE STATE OF OHIO, EXECUTIVE DEPARTMENT,

COLUMBUS, 7th day of June, 1879.

To the Senate:

I have the honor to nominate, and by and with the advice and consent of the Senate, appoint James B. Jamison, of Cadiz, Harrison county, Ohio, to be a Trustee of the Ohio State University, for the term of seven years, from May 13, 1879.

Very respectfully,

RICHARD M. BISHOP.

On motion, said communication was referred to the committee on Universities, Colleges and Academies.

MESSAGE FROM THE GOVERNOR.

THE STATE OF OHIO, EXECUTIVE DEPARTMENT,

COLUMBUS, 7th day of June, 1879.

To the Senate:

I have the honor to nominate, and by and with the advice and consent of the Senate, appoint John A. Shank, of Cincinnati, Hamilton county, to be a Trustee of the Institution for the Education of the Idiotic and Imbecile Youth, for the term of three years, from May 14, 1879.

Very respectfully,

RICHARD M. BISHOP.

On motion, said communication was referred to the committee on School for Imbecile Youth.

Mr. Irvine presented the remonstrance of E. Kennedy and 99 other citizens of Washington county, protesting against the passage of a law to prohibit the sale of railroad tickets outside of the offices of railroad corporations.

Which was referred to the committee on Railroads, Telegraphs and Turnpikes.

Mr. Steedman presented the remonstrance of 101 citizens of the city of Toledo, against the passage of H. B. No. 1003, known as the Scalper Bill.

Which was referred to the committee on Railroads, Telegraphs and Turnpikes.

Mr. Carson submitted the following report:

The standing committee on Railroads, Telegraphs and Turnpikes, to whom was referred H. B. No. 1003—Regulating the issuing and taking up of tickets, and coupons of tickets, by common carriers, and defining the rights of holders thereof, and other matters in relation thereto—

having had the same under consideration, report it back without recommendation.

GEO. P. TYLER, H. SABINE,
J. M. CARSON, THOS. M. BEER,
J. C. FISHER, H. C. LORD.

Said bill was ordered to be engrossed and read the third time on Tuesday next.

Mr. Irvine submitted the following report:

The standing committee on Insurance, to whom was referred S. J. R. No. 91—Relating to the Insurance Department—having had the same under consideration, report it back, and recommend its adoption.

JOHN IRVINE, H. SABINE,
G. M. SALTZGABER, THEO. MARSH,
C. S. PARKER, W. T. FORREST.

On motion of Mr. Lord, said joint resolution was laid on the table.

Mr. Richards moved to take S. B. No. 318 from the table.

Which was agreed to.

The question being on concurring in House amendment, the yeas and nays were ordered, taken, and resulted—yeas 19, nays 1, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carson, Dungan, Fisher, Irvine, Johnston, Krimmel, Lord, Marsh, McDonald, Richards, Sabine, Saltzgaber, Seitz, Wagener and Williams—19.

Mr. Forrest voted in the negative.

So the Senate concurred in said House amendment.

Mr. Marsh submitted the following report:

The standing committee on Insurance, to whom was referred H. B. No. 788—To amend the act of April 27, 1872, entitled an act to regulate insurance companies doing an insurance business in the State of Ohio, (Vol. 69., O. L., p. 140)—having had the same under consideration, report it back with the recommendation that it be indefinitely postponed.

G. M. SALTZGABER,
THEO. MARSH,
W. T. FORREST.

Said report was agreed to.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The Speaker of the House of Representatives has, in the presence of the House, signed the following bills and joint resolution:

Substitute for H. B. No. 608—Mr. Norton—To restrict the limits of the third judicial district; to define the several subdivisions thereof; to form and establish a new district within its original limits, and to abolish the fourth subdivision thereof.

H. B. No. 1016—Mr. Haley—To authorize the Commissioners of Hardin county to pay the indebtedness of the Agricultural Society of said county.

H. J. R. No. 89—Mr. Sawyer—As to draining certain basins in Auglaize county, Ohio.

Attest:

L. A. BRUNNER, *Clerk.*

The President, in presence of the Senate, signed said bills and joint resolution.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bills, in which the concurrence of the Senate is requested:

H. B. No. 1042—Mr. Crosley—To amend sections three and four of an act to enable the Commissioners of Montgomery and Warren counties to purchase toll-roads, and convert the same into free turnpike roads, passed May 10, 1878, (O. L., Vol. 75, p. 1150.)

H. B. No. 1062—Mr. Herrick—To authorize the County Commissioners of Lorain county to advertise for proposals and make contracts to build a new Court-house.

Attest:

L. A. BRUNNER, *Clerk.*

Said bills were read the first time.

On motion of Mr. Seitz, the Senate took a recess until 2 o'clock P.M.

TWO O'CLOCK P.M.

Leave of absence was asked and obtained for Messrs. Tyler, Howland and Curtiss until Monday next.

On demand of Mr. Beer, a call of the Senate was had.

Thirteen Senators answered to their names; nineteen absent without leave.

Mr. Seitz moved that the Sergeant-at-Arms be dispatched for absentees.

Which was agreed to.

Messrs. Wagener, Williams, Steedman, Kelley, Irvine and McDonald appeared within the bar of the Senate and answered to their names.

Mr. Marsh moved that further proceedings under the call be dispensed with.

Which was disagreed to.

Mr. Forrest having appeared within the bar of the Senate and answered to his name—

Mr. Benson moved that further proceedings under the call be dispensed with.

Which was agreed to.

Mr. Marsh moved that the Senate adjourn.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 9, nays 7, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Benson, Carlisle, Carson, Marsh, McDonald, Seitz and Steedman—9.

Those who voted in the negative were—

Messrs. Beer, Irvine, Johnston, Kelley, Lord, Richards and Sabine—7.

So said motion was agreed to, and the Senate adjourned.

Attest:

ALLEN O. MYERS, *Clerk.*

MONDAY, *June 9, 1879*—10 o'clock A.M.

The Senate met pursuant to adjournment.

Prayer by Rev. I. F. Stidham.

The Journal was read and approved.

Mr. Carson presented the remonstrance of Van B. Baker and fifty other citizens of Shelby county, against the passage of H. B. No. 17, by Mr. Perkins.

Which was referred to the committee on Common Schools and School Lands.

Bills were read the second time and referred, as follows:

H. B. No. 1042—Mr. Crosley—To amend sections three and four of an act to enable the Commissioners of Montgomery and Warren counties to purchase toll-roads, and to convert the same into free turnpike roads, passed May 10, 1878, (O. L., Vol. 75, p. 1150.)

Committee on Railroads, Telegraphs and Turnpikes.

H. B. No. 1062—Mr. Herrick—To authorize the County Commissioners of Lorain county to advertise for proposals and make contracts to build a new Court-house.

Committee on Corporations other the Municipal.

Mr. Grove presented the remonstrance of John Hancock, Superintendent of the Public Schools, and all of the members of the Board of Education of the city of Dayton, Montgomery county, protesting against the passage of H. B. No. 17, by Mr. Perkins.

Which was referred to the committee on Common Schools and School Lands.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has refused to concur in Senate amendments to—

Amended H. B. No. 1008—Mr. Levering—Making appropriations for certain purposes for the fiscal year 1879, and the first quarter of the year 1880.

Attest:

L. A. BRUNNER, *Clerk.*

Mr. Curtiss moved that the Senate insist on its amendments, and ask for a committee of Conference.

Which was agreed to.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has concurred in the passage of the following bill:

S. B. No. 293—Mr. Forrest—To exempt certain property of benevolent institutions from seizure and sale on executions.

Attest:

L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The House of Representatives has passed the following bills, in which the concurrence of the Senate is requested :

H. B. No. 1067—Mr. Achauer—To amend section one of an act entitled an act supplementary to an act to incorporate the Muskingum College, passed March 3, 1863.

Substitute for H. B. No. 823—Mr. Loder—To establish a Board of Examiners of insecure and unsafe buildings, and the appointment of inspectors of buildings.

H. B. No. 1050—Mr. Stubbs—To amend section six of an act to regulate enclosures and to provide against trespassing animals, passed January 17, 1840, (O. L., Vol. 38, p. 4).

H. B. No. 1078—Mr. Norton—To authorize the town Council of the incorporated village of Republic, Seneca county, Ohio, to transfer funds from one fund to another.

Attest :

L. A. BRUNNER, *Clerk.*

Said bills were read the first time.

Mr. Krimmel submitted the following report :

The joint committee on Enrollment has examined, and found correctly enrolled, the following bills and joint resolution :

H. B. No. 999 - To provide for indexing the land records of Morrow county.

H. B. No. 131—Relating to the Lincoln and Soldiers' Memorial Monument.

H. J. R. No. 128 - Requesting the Secretary of State to return the enrolled copy of H. B. No. 894.

H. B. No. 1061—Authorizing the County Commissioners of Guernsey county to deposit county funds in bank.

H. B. No. 952—To regulate the fees and compensation of county auditors, probate judges, clerks of the courts, sheriffs, coroners, treasurers and recorders.

R. G. RICHARDS,

IRVINE DUNGAN,

J. W. WASHBURN,

C. F. KRIMMEL,

A. D. MARSH,

WM. JESSUP.

F. M. CARTER,

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The Speaker of the House of Representatives has, in the presence of the House, signed the following bills and joint resolution :

H. B. No. 952—To regulate the fees and compensation of county auditors, probate judges, clerks of the courts, sheriffs, coroners, treasurers and recorders.

H. B. No. 131—Relating to the Lincoln and Soldiers' Memorial Monument.

H. B. No. 999—To provide for indexing the land records of Morrow county.

H. B. No. 1061—Authorizing the Commissioners of Guernsey county to deposit county funds in bank.

H. J. R. No. 128—Requesting the Secretary of State to return the enrolled copy of H. B. No. 894.

Attest:

L. A. BRUNNER, *Clerk*.

The President *pro tem.*, in presence of the Senate, signed said bills and joint resolution.

H. B. No. 1069—Mr. Washburn—To amend section one of an act entitled an act to authorize the Commissioners of Pike county to build an improved road, and the Board of Public Works to grant certain rights—was read the third time.

Mr. Dungan moved that said bill be laid on the table.

Which was agreed to.

Mr. Curtiss moved that H. B. No. 1042 be informally passed.

Which was agreed to.

Mr. Lord, on leave, introduced the following bill, which was read the first time:

S. B. No. 384—To amend section one, subdivision one, chapter five, title twelve of the codified laws of Ohio, relating to municipal corporations; also, section three of the same subdivision; also, section twelve of the same subdivision.

Mr. Forrest, on leave, introduced the following bill, which was read the first time:

S. B. No. 385—To authorize the village of Avondale, Hamilton county, to borrow money to build a town-hall.

Mr. Dungan submitted the following report:

The standing committee on Universities, Colleges and Academies, to whom was referred the appointment of James B. Jamison, of Cadiz, for a Trustee of the Ohio State University, report the same back, and recommend his confirmation.

IRVINE DUNGAN,
B. W. CARLISLE,
JOHN IRVINE,

H. W. CURTISS,
W. T. FORREST,
G. W. WILSON.

The question being on advising and consenting to said appointment, the yeas and nays were taken, and resulted—yeas 20, nays none, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Beer, Benson, Carlisle, Carson, Curtiss, Dungan, Fisher, Forrest, Irvine, Jackson of Perry, Krimmel, Lord, Owens, Richards, Saltzgaber, Seitz, Wagener, Williams and Wilson—20.

So the Senate advised and consented to said appointment.

Mr. Armstrong submitted the following report:

The standing committee on Idiotic and Imbecile Youth, to whom was referred the nomination of John A. Shank, to be a Trustee of said Institution—having had the same under consideration, report it back, and recommend that the Senate do advise and consent to said appointment.

J. M. ARMSTRONG,
C. F. KRIMMEL,
JOHN SEITZ,

J. B. WILLIAMS,
GEO. W. WILSON.

The question being on advising and consenting to said appointment, the yeas and nays were taken, and resulted—yeas 19, nays none, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Beer, Benson, Carlisle, Curtiss, Dungan, Fisher, Forrest, Irvine, Jackson of Perry, Krimmel, Lord, Owens, Richards, Saltzgaber, Seitz, Wagener, Williams and Wilson—19.

So the Senate advised and consented to said appointment.

Mr. Dungan submitted the following report :

The standing committee on Corporations other than Municipal, to whom was referred H. B. No. 1062—To authorize the County Commissioners of Lorain county to advertise for proposals and make contracts to build Court-house—having had the same under consideration, report it back, and recommend its passage.

IRVINE DUNGAN,	LYMAN J. JACKSON,
R. G. RICHARDS,	J. M. ARMSTRONG.

Said bill was ordered to be engrossed and read the third time to-morrow.

Mr. Richards submitted the following report :

The joint committee on Enrollment has examined, and found correctly enrolled, the following bills :

H. B. No. 766—To authorize the Register of Virginia Military School Lands, at Mansfield, Ohio, to close the business of his office.

H. B. No. 1044—Authorizing the County Commissioners of Athens county, Ohio, to levy an additional tax for county and poor purposes.

H. B. No. 1048—To authorize the incorporated village of Batavia, Ohio, to issue bonds for the purpose of improving town-hall, purchasing ground, and building a village prison.

H. B. No. 836—To amend sections twelve and thirteen, of chapter four, division seven of an act entitled an act to amend, revise and consolidate the statutes relating to municipal corporations, to be known as title twelve, part one of the act to revise and consolidate the general statutes of Ohio, passed May 14, 1878, (75 Vol. O. L., p. 161.)

H. B. No. 1045—To amend an act entitled an act to authorize the Council of the incorporated village of Middletown to issue bonds for the purchase of grounds, and the erection and completion of a town-hall, engine and hose-house and prison, passed February 4, 1878.

H. B. No. 1047—To authorize the village of Batavia, Ohio, to transfer certain funds of said incorporated village to the building fund of said village.

Substitute for H. B. No. 566—Relating to the election of Representatives in Congress of the United States.

H. B. No. 1068—Relating to incorporated villages having a population of not less than two thousand three hundred and twenty-two, and not more than two thousand three hundred and twenty-four by the federal census of 1870.

S. B. No. 318—To authorize the incorporated village of Salem, Columbiana county, Ohio, to levy a tax to improve the streets of said village.

S. B. No. 293—To exempt certain property of benevolent institutions from seizure and sale on execution.

R. G. RICHARDS,	WM. JESSUP,
E. S. PERKINS,	F. M. CARTER,
IRVINE DUNGAN,	DUNCAN DOW.
A. D. MARSH,	

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The House of Representatives has concurred in the adoption of the following joint resolutions :

S. J. R. No. 82—Mr. Richards—Directing the Supervisor of Public Printing to omit certain reports from the forthcoming volume of executive documents.

S. J. R. No. 92—Mr. Sabine—Directing the printing of school laws.

Attest:

L. A. BRUNNER, *Clerk*.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The following bills have been introduced in the House of Representatives, and read the first time:

H. B. No. 1072—Mr. Sawyer—For the relief of Charles Koahn.

H. B. No. 1073—Mr. Sullivan of Miami—To provide for the maintenance of the Children's Home in Miami county.

H. B. No. 1074—Mr. Worley—To appropriate twenty-five hundred dollars for the purchase of the life-size portraits of Charles Sumner and Abraham Lincoln.

H. B. No. 1075—Mr. Levering—To amend the act of May 14, 1878, entitled an act to revise and consolidate the laws relating to civil procedure in Courts of Common Pleas and Superior Courts, in District Courts on appeal, and also the laws relating to procedure in error, mandamus and quo warranto.

H. B. No. 1076—Mr. Booth—To authorize the levy of an additional tax for the purpose of repairing and paying the debts of the Georgesville free turnpike, in Franklin county.

H. B. No. 1077—Mr. Scott—To amend section eight of an act entitled an act to regulate mines and mining, and to repeal an act therein named.

H. B. No. 1078—Mr. Norton—To authorize the town Council of the incorporated village of Republic, Seneca county, to transfer funds from one fund to another.

Attest:

L. A. BRUNNER, *Clerk*.

On motion of Mr. Beer, the Senate took a recess.

THREE O'CLOCK P.M.

S. B. No. 382—Mr. Curtiss—To provide for securing title to land for park purposes in certain cities—was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 21, nays none, as follow:

Those who voted in the affirmative were—

Messrs. Beebe, Beer, Benson, Carlisle, Carson, Curtiss, Dungan, Fisher, Forrest, Grove, Irvine, Jackson of Perry, Lord, Marsh, Owens, Richards, Seitz, Tyler, Wagener, Williams and Wilson—21.

So the bill passed. The title was agreed to.

Mr. Seitz moved to take from the table H. B. No. 791.

Which was agreed to.

Mr. Seitz moved to refer the bill to a select committee of one, with instructions to amend as follows:

After the word "view," at the end of section 1, insert: "Provided, that no bonds issued under this act shall be sold for less than par, or draw more than six per cent. interest."

Which was agreed to, and Mr. Seitz was appointed such committee, and reported the bill back amended as instructed.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 21, nays 2, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Carson, Curtiss, Dungan, Fisher, Grove, Krimmel, Lord, Marsh, Owens, Parker, Richards, Seitz, Tyler, Wagener, Williams and Wilson—21.

Messrs. Forrest and Saltzgaber voted in the negative.

So the bill passed. The title was agreed to.

Mr. Dungan moved to take from the table H. B. No. 1069.

Which was agreed to.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 19, nays 1, as follow :

Those who voted in the affirmative were—

Messrs. Beebe, Beer, Benson, Carson, Curtiss, Dungan, Fisher, Forrest, Grove, Krimmel, Lord, Owens, Parker, Richards, Seitz, Tyler, Wagener, Williams and Wilson—19.

Mr. Irvine voted in the negative.

So the bill passed. The title was agreed to.

Mr. Carson moved to take from the table H. B. No. 926.

Which was agreed to.

Said bill was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 24, nays 1, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Carson, Curtiss, Dungan, Forrest, Grove, Irvine, Jackson of Perry, Kelley, Krimmel, Lord, Marsh, Owens, Parker, Richards, Saltzgaber, Tyler, Wagener, Williams and Wilson—24.

Mr. Fisher voted in the negative.

So the bill passed. The title was agreed to.

Mr. Krimmel submitted the following report:

The committee of Conference, to whom was referred the matters of difference between the two Houses on H. B. No. 882, having had the same under consideration, report that they have agreed upon said matters of difference, and recommend that the House concur in Senate amendment No. 1; and that Senate amendment No. 2 be amended by inserting before the word "five," the words "not more than"; and that when so amended the House concur therein.

C. F. KRIMMEL,
J. M. ARMSTRONG,
D. D. BEEBE,

Committee on part of the Senate.

H. J. BOOTH,
B. F. LOVELACE,

Committee on part of the House.

The question being on agreeing to said report, the yeas and nays were taken, and resulted—yeas 23, nays none, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Curtiss, Dungan, Forrest, Grove, Irvine, Jackson of Perry, Kelley, Krimmel, Lord, Marsh, Owens,

Parker, Richards, Saltzgaber, Seitz, Tyler, Wagener, Williams and Wilson—23.

So the report was agreed to.

Mr. Dungan moved that H. B. No. 53 be taken from the table.

Which was agreed to.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 24, nays none, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Curtiss, Dungan, Fisher, Grove, Irvine, Jackson of Perry, Joy, Kelley, Krimmel, Lord, Marsh, Owens, Parker, Richards, Saltzgaber, Seitz, Tyler, Wagener, Williams and Wilson—24.

So the bill passed. The title was agreed to.

On motion of Mr. Saltzgaber, the Senate adjourned.

Attest :

ALLEN O. MYERS, *Clerk.*

TUESDAY, *June* 10, 1879—10 o'clock A.M.

The Senate met pursuant to adjournment.

Prayer by Rev. Hugh McBride.

The Journal was read and approved.

Mr. Benson presented the remonstrance of S. S. Shilling and 127 other citizens of Wayne county, remonstrating against the passage of H. B. No. 1003, known as the Scalpers' Bill, and asked its reference to the committee on Railroads, Telegraphs and Turnpikes.

Mr. Wagener presented the remonstrance of Jos. McConnaughy and 72 other citizens of Belmont county, remonstrating against the passage of H. B. No. 1003, or any other bill which will deprive any citizen of the privilege of buying or selling railroad tickets outside the office of these corporations.

Which was referred to the committee on Railroads, Telegraphs and Turnpikes.

Mr. Tyler presented the remonstrance of Geo. T. Salt, W. R. Walker and 147 other citizens of Clermont county, not to pass H. B. No. 1003.

Which was referred to the committee on Railroads, Telegraphs and Turnpikes.

Mr. Lord presented the remonstrance of M. F. Forbes and 3442 other citizens of Hamilton county, against the passage of H. B. No. 1003.

Which was referred to the committee on Railroads, Telegraphs and Turnpikes.

Mr. Krimmel presented the remonstrance of George Palmer and 607 other citizens of Franklin county, against the passage of H. B. No. 1003, known as the Scalpers' Bill, and asked its reference to the committee on Railroads, Telegraphs and Turnpikes.

Mr. Owens presented the remonstrance of E. S. Weiant and 196 other citizens of Licking county, remonstrating against the passage of H. B. No. 1003.

Which was referred to the committee on Railroads, Telegraphs and Turnpikes.

Mr. Beer presented the remonstrance of D. F. Taylor and 102 other citizens of Ashland county, protesting against passage of H. B. No. 1003.

Which was referred to the committee on Railroads, Telegraphs and Turnpikes.

Mr. Steedman presented the remonstrance of 294 citizens of Toledo, against H. B. No. 1003.

Which was laid on the table.

Bills were read the second time and referred, as follows:

H. B. No. 1050—Mr. Stubbs—To amend section six of an act to regulate enclosures, and to provide against trespassing animals, passed January 17, 1840, (O. L., Vol. 38, p. 4.)

Committee on Agriculture.

H. B. No. 1078—Mr. Norton—To authorize the town Council of the incorporated village of Republic, Seneca county, Ohio, to transfer funds from one fund to another.

Committee on Finance.

S. B. No. 384—Mr. Lord—To amend section one, sub-division one, chapter five, title twelve, of the codified laws of Ohio, relating to municipal corporations; also, section three of the same sub-division; also, section twelve of the same sub-division.

Committee on Privileges and Elections.

S. B. No. 385—Mr. Forrest—To authorize the village of Avondale, Hamilton county, to borrow money to build a town-hall.

Committee on Finance.

Substitute for H. B. No. 823—Mr. Loder—To establish a Board of Examiners of insecure and unsafe buildings, and the appointment of inspectors of buildings—was read the second time.

Mr. Marsh moved that the constitutional rule, requiring bills to be read on three different days, be suspended, that Substitute for H. B. No. 823 may be read the third time.

On which motion the yeas and nays were taken, and resulted—yeas 27, nays 1, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Carlisle, Carson, Curtiss, Dungan, Fisher, Grove, Jackson of Perry, Joy, Kelley, Krimmel, Lord, Marsh, McDonald, Owens, Parker, Richards, Sabine, Seitz, Sherrick, Steedman, Stokes, Tyler, Wagener and Williams—27.

Mr. Benson voted in the negative.

So said motion was agreed to, and said bill was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 27, nays 1, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Carlisle, Carson, Curtiss, Dungan, Fisher, Grove, Jackson of Perry, Joy, Krimmel, Lord, Marsh, McDonald, Owens, Parker, Richards, Sabine, Seitz, Sherrick, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—27.

Mr. Benson voted in the negative.

So the bill passed. The title was agreed to.

H. B. No. 1067—Mr. Achauer—To amend section one of an act entitled an act supplementary to an act to incorporate the Muskingum College, passed March 3, 1863—was read the second time.

Mr. Jackson of Perry moved that the constitutional rule, requiring bills to be read on three different days, be suspended, that H. B. No. 1067 may be read the third time.

On which motion the yeas and nays were taken, and resulted—yeas 28, nays none, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Carson, Curtiss, Dungan, Fisher, Grove, Jackson of Perry, Joy, Kelley, Krimmel, Lord, Marsh, McDonald, Owens, Parker, Richards, Sabine, Sherrick, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—28.

So said motion was agreed to, and the bill was read the third time.

The question being “Shall the bill pass?” the yeas and nays were taken, and resulted—yeas 29, nays none, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Carson, Curtiss, Dungan, Fisher, Grove, Jackson of Perry, Joy, Kelley, Krimmel, Lord, Marsh, McDonald, Owens, Parker, Richards, Sabine, Seitz, Sherrick, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—29.

So the bill passed. The title was agreed to.

Mr. Wagener moved that H. B. No. 1021 be laid on the table and ordered printed.

Which was agreed to.

H. B. No. 1003—Mr. Swaim—Regulating the issuing and taking up of tickets and coupons of tickets by common carriers, and defining the rights of holders thereof, and other matters in relation thereto—was read the third time.

The question being “Shall the bill pass?” the yeas and nays were taken, and resulted—yeas 13, nays 14, as follow :

Those who voted in the affirmative were—

Messrs. Beebe, Benson, Carlisle, Carson, Curtiss, Forrest, Grove, Krimmel, Lord, Parker, Richards, Saltzgaber and Tyler—13.

Those who voted in the negative were—

Messrs. Armstrong, Beer, Dungan, Fisher, Jackson of Perry, Joy, Kelley, McDonald, Sabine, Seitz, Steedman, Stokes, Williams and Wilson—14.

So the bill, having failed to receive a constitutional majority, was lost.

H. B. No. 1062—Mr. Herrick—To authorize the County Commissioners of Lorain county to advertise for proposals and make contracts to build a new Court-house was read the third time.

The question being “Shall the bill pass?” the yeas and nays were taken, and resulted—yeas 24, nays 4, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Carlisle, Carson, Curtiss, Dungan, Forrest, Grove, Jackson of Clinton, Jackson of Perry, Kelley, Krimmel, Lord, McDonald, Owens, Richards, Sabine, Sherrick, Steedman, Stokes, Tyler, Wagener and Williams—24.

Those who voted in the negative were—

Messrs. Benson, Marsh, Parker and Seitz—4.

So the bill passed. The title was agreed to.

Mr. Lord submitted the following report:

The standing committee on Privileges and Elections, to whom was referred S. B. No. 380—To amend section one, chapter two, division eight of an act entitled an act to amend, revise and consolidate the statutes relating to municipal corporations, to be known as title twelve, part one of the act to revise and consolidate the general statutes of Ohio—having had the same under consideration, report back the following substitute, and recommend its passage :

SUBSTITUTE FOR S. B. NO. 380—MR. LORD.

A bill to amend section one, chapter two, division eight, and section one, sub-division one, chapter five, title twelve, and section three, sub-division one, and section twelve, of same sub division of an act entitled an act to amend, revise and consolidate the statutes relating to municipal corporations, to be known as title twelve, part one of the act to revise and consolidate the general statutes of Ohio:

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That section one, chapter 2, of division eight be so amended as to read as follows:

SECTION 1. In cities of the first grade of the first class the management and control of the fire department shall be vested in a board of fire commissioners, to consist of five members, heretofore appointed by the police judge of said city, one of said members having been appointed for one year, one for two years, one for three years, one for four years, and one for five years. Hereafter, at the expiration of any term, the board of aldermen shall appoint a member of the board for the term of five years, and vacancies hereafter occurring shall be filled by the members of the board for the unexpired term. The members of the board shall serve without compensation.

SEC. 2. That section one, sub-division one, chapter five, title twelve, of the codified laws of Ohio relating to municipal corporations be amended so as to read as follows:

In all cities of the first grade of the first class the appointment and control of the police shall be vested in a board of police commissioners, composed of three citizens appointed by the board of aldermen of such city, one to serve for the term of three years, one for two years, and one for one year, and as their term of office expires their successors shall be appointed, each for the term of three years, unless in a case a vacancy occurs from other cause than the expiration of a term, when the president of the board of aldermen shall appoint a successor to fill out the unexpired term. Each member of this board of police commissioners shall take the oath of office, such as is administered to the mayor of such city, and before entering upon the discharge of his duties shall give bond in the sum of ten thousand dollars, with three or more good sureties, that he will honestly and faithfully discharge the duties of his office, which bond shall be filed in the office of the city clerk of such city.

That section three of the same sub-division, chapter and title be amended so as to read as follows: Any commissioner who, during the term of his office, accepts any other place of public trust or emolument, or who, during the same period, knowingly consents to his nomination for an office elected by the people, or fails publicly to decline the same within twenty days succeeding his nomination, shall be deemed to have thereby vacated his office; and for official misconduct any commissioner may be removed by the president of the board of aldermen, and no member of the police force shall be delegate to or otherwise take part in any primary or other political convention or election, except to cast his vote.

That section twelve, of the same sub-division, chapter and title be so amended as to read as follows: All appointments on the police force shall be made only upon the written application of at least three responsible citizens for each man so appointed, and shall continue during good behavior, or the pleasure of the board of police commissioners.

SEC. 3. That original section one, chapter two, division eight of the act entitled an act to amend, revise and consolidate the statutes relating to municipal corporations, and sections one, three and twelve, of sub-division one, chapter five, title twelve of codified laws be and the same are hereby repealed.

SEC. 4. This act shall take effect and be in force from its passage.

H. C. LORD,	LYMAN J. JACKSON,
W. T. FORREST,	G. M. SALTZGABER,
C. F. KRIMMEL,	

Said substitute was agreed to.

Mr. Lord moved that said bill be read the third time now.

Which was agreed to, and the bill was then read.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 23, nays 9, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Benson, Carlisle, Carson, Dungan, Fisher, Forrest, Grove, Jackson of Perry, Joy, Krimmel, Lord, Marsh, McDonald, Parker, Saltzgaber, Seitz, Sherrick, Steedman, Stokes, Tyler, Wagener and Williams—23.

Those who voted in the negative were—

Messrs. Beebe, Beer, Curtiss, Jackson of Clinton, Kelley, Owens, Richards, Sabine and Wilson—9.

So the bill passed. The title was agreed to.

Mr. Steedman submitted the following report:

The standing committee on Public Works, to whom was referred H. B. No. 352—To authorize the Board of Public Works to enlarge a culvert under the Ohio canal, in Circleville township, Pickaway county—having had the same under consideration, report it back, and recommend its passage.

JAMES B. STEEDMAN,	G. A. GROVE,
LYMAN J. JACKSON,	H. C. LORD.
G. W. WILSON,	

Said bill was ordered to be engrossed and read the third time now, and was then read.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 23, nays 1, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Benson, Carlisle, Carson, Curtiss, Dungan, Grove, Jackson of Perry, Joy, Krimmel, Lord, Marsh, McDonald, Owens, Richards, Sherrick, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—23.

Mr. Seitz voted in the negative.

So the bill passed. The title was agreed to.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has agreed to the report of the committee of Conference on H. B. No 882, by Mr. Booth.

Attest:

L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The House of Representatives accedes to the request of the Senate, and has appointed Messrs. Dodds, Van Cleaf and Hitchcock a committee of Conference on the part of the House to consider the differences existing between the two Houses on—

H. B. No. 1008—Mr. Levering—Making appropriations for certain purposes for the fiscal year 1879, and the first quarter of the year 1880.

Attest :

L. A. BRUNNER, *Clerk.*

The President appointed Messrs. Fisher, Steedman and Curtiss as such committee on part of the Senate.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The House of Representatives has indefinitely postponed the following bill :

S. B. No. 362—Mr. Owens—To authorize the City Council of Newark, Licking county, to purchase a steam fire engine, and issue bonds to pay for same.

Attest :

L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The House of Representatives has concurred in the passage of the following bill :

S. B. No. 382—Mr. Curtiss—To provide for securing title to land for park purposes in certain cities.

Attest :

L. A. BRUNNER, *Clerk.*

On motion of Mr. Richards, the Senate took a recess until two o'clock P.M.

TWO O'CLOCK P.M.

Mr. Benson moved that the vote whereby H. B. No. 1003 was lost be reconsidered.

On which motion the yeas and nays were taken, and resulted—yeas 10, nays 8, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beer, Benson, Carson, Curtiss, Grove, Loid, Richards, Saltzgaber and Tyler—10.

Those who voted in the negative were—

Messrs. Fisher, Irvine, Jackson of Clinton, Jackson of Perry, Kelley, Sabine, Sherrick and Steedman—8.

So the motion was agreed to.

Mr. Carson moved that said bill be laid on the table.

Which was agreed to.

Mr. Fisher submitted the following report :

The standing committee on Finance, to whom was referred H. B. No.

1071—To authorize the City Council of the city of Chillicothe to invest a surplus fund in United States or other securities—having had the same under consideration, report it back, with the recommendation that it be passed.

J. C. FISHER,	JOHN SEITZ,
J. SHERRICK,	H. W. CURTISS.

Said bill was ordered to be engrossed and read the third time tomorrow.

Mr. Sherrick submitted the following report:

The standing committee on Finance, to whom was referred H. B. No. 1070—For the relief of Allen Cremean—having had the same under consideration, report it back, with the recommendation that it be passed.

J. SHERRICK,	H. C. LORD,
J. C. FISHER,	JOHN SEITZ.
H. W. CURTISS,	

Said bill was ordered to be engrossed and read the third time tomorrow.

Mr. Carson submitted the following report:

The standing committee on Common Schools and School Lands, to whom was referred H. B. No. 17—To provide for the purchase of books for the use of common schools—having had the same under consideration, report it back, and recommend that it be indefinitely postponed.

G. A. GROVE,	D. WAGENER,
C. F. KRIMMEL,	H. C. LORD.

The question being on agreeing to said report—

On demand of Mr. Richards, a call of the Senate was had.

Twenty-nine Senators answered to their names.

Messrs. Dungan, Howland, Johnston, Krimmel, Parker and Seitz were absent.

On motion of Mr. Richards, further proceedings under the call were dispensed with.

The question recurring on agreeing to the report of the committee, the yeas and nays were demanded, taken, and resulted—yeas 16, nays 15, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Benson, Carson, Forrest, Grove, Irvine, Joy, Kelley, Krimmel, Lord, Marsh, McDonald, Saltzgaber, Sherrick, Steedman and Wagener—16.

Those who voted in the negative were—

Messrs. Beebe, Beer, Curtiss, Dungan, Fisher, Howland, Jackson of Clinton, Jackson of Perry, Parker, Richards, Sabine, Stokes, Tyler, Williams and Wilson—15.

So the report of the committee was agreed to, and the bill was indefinitely postponed.

Mr. Forrest asked and obtained leave for the committee on Consolidated Laws to sit during the session of the Senate.

Mr. Marsh submitted the following report:

The standing committee on Municipal Corporations, to whom was referred H. B. No. 629—To amend sections four and five of chapter five, of division eight of the act entitled an act to amend, revise and consolidate the statutes relating to municipal corporations, to be known as title twelve, part one of the act to revise and consolidate the general statutes

of Ohio, passed May 14, 1878, (O. L., Vol. 75, p. 359)—having had the same under consideration, report it back, and recommend its passage.

THEO. MARSH, LYMAN J. JACKSON,
JAS. B. STEEDMAN, GEO. W. WILSON.
G. A. GROVE,

Said bill was ordered to be engrossed and read the third time now, and was then read.

Mr. Forrest moved to refer the bill to a select committee of one, with instructions to amend as follows:

Strike out of line 15, section 1, the words "first and."

On which motion the yeas and nays were demanded, taken, and resulted—yeas 6, nays 21, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Carson, Dungan, Forrest, Saltzgaber and Seitz—6.

Those who voted in the negative were—

Messrs. Beebe, Beer, Benson, Carlisle, Curtiss, Howland, Irvine, Jackson of Clinton, Jackson of Perry, Joy, Kelley, Lord, Marsh, McDonald, Richards, Sabine, Steedman, Tyler, Wagener, Williams and Wilson—21.

So the motion was disagreed to.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 24, nays 1, as follow:

Those who voted in the affirmative were—

Messrs. Beebe, Beer, Benson, Carlisle, Curtiss, Dungan, Grove, Irvine, Jackson of Perry, Joy, Kelley, Lord, Marsh, Owens, Parker, Richards, Sabine, Seitz, Sherrick, Steedman, Tyler, Wagener, Williams and Wilson—24.

Mr. Forrest voted in the negative.

So the bill passed. The title was agreed to.

Mr. Steedman moved that the vote whereby H. B. No. 788 was indefinitely postponed be reconsidered.

Which was agreed to.

Mr. Steedman moved that a message be sent to the House requesting the return of said bill.

Which was agreed to.

Mr. Carlisle moved that the report of the committee on H. B. No. 732 be taken from the table.

Which was agreed to.

The question being on agreeing to said report—

On motion of Mr. Carlisle, said bill was re-referred to the committee on Roads and Highways.

Mr. Dungan submitted the following report:

The standing committee on Corporations others than Municipal, to whom was referred H. B. No. 993 - To authorize the Trustees of Rockport township, Cuyahoga county, to transfer certain funds therein named—having had the same under consideration, report it back, with the recommendation that it be passed.

IRVINE DUNGAN, LYMAN J. JACKSON,
J. M. ARMSTRONG, R. G. RICHARDS,
GEO. P. TYLER, J. SHERRICK.

Said bill was ordered to be engrossed and read the third time now, and was then read.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 30, nays 1, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Carson, Curtiss, Dungan, Fisher, Grove, Howland, Irvine, Jackson of Clinton, Jackson of Perry, Joy, Kelley, Krimmel, Lord, Marsh, McDonald, Owens, Richards, Sabine, Seitz, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—30.

Mr. Parker voted in the negative.

So the bill passed. The title was agreed to.

Mr. Dungan submitted the following report :

The standing committee on Universities, Colleges and Academies, to whom was referred H. B. No. 781—Supplementary to the act entitled an act to incorporate the Defiance Female Seminary, in the county of Defiance, passed March 23, 1850—having had the same under consideration, report it back, with the recommendation that it be passed.

IRVINE DUNGAN,	W. T. FORREST,
G. W. WILSON,	B. W. CARLISLE.
H. W. CURTISS,	

Said bill was ordered to be engrossed and read the third time now, and was then read.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 32, nays none, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Carson, Curtiss, Dungan, Fisher, Forrest, Grove, Howland, Irvine, Jackson of Clinton, Jackson of Perry, Joy, Kelley, Krimmel, Lord, McDonald, Owens, Parker, Richards, Sabine, Saltzgaber, Seitz, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—32.

So the bill passed. The title was agreed to.

Mr. Stokes submitted the following report :

The standing committee on Agriculture, to whom was referred H. B. No. 1050—To amend section six of an act to regulate enclosures, and to provide against trespassing animals, passed January 17, 1840, (O. L., Vol. 38, p. 4)—having had the same under consideration, report it back, with following amendment, and recommend its passage when so amended :

Section 1, line 6, strike out "petetion," and insert "partition."

B. W. CARLISLE,	W. H. STOKES,
JOHN H. BENSON,	J. B. WILLIAMS,
THOS. S. JACKSON,	H. SABINE.
J. M. CARSON,	

Said amendment was agreed to, and the bill was ordered to be engrossed and read the third time to-morrow.

Mr. Joy moved that H. B. No. 1007 be taken from the table.

Which was agreed to.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 28, nays none, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carson, Curtiss, Dungan, Fisher, Grove, Howland, Irvine, Jackson of Clinton, Jackson of Perry,

Joy, Krimmel, Lord, Marsh, McDonald, Owens, Richards, Sabine, Seitz, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—28.

So the bill passed. The title was agreed to.

Mr. Benson moved to take from the table H. B. No. 1003.

Which was disagreed to.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The House of Representatives has concurred in the passage of the following bill :

S. B. No. 313—Mr. Forrest—To amend the act of May 11, 1878, entitled an act to revise and consolidate the laws relating to procedure before Justices of the Peace and Mayors, (74 Vol., p. 971)—with the following amendments, in which the concurrence of the Senate is requested :

Strike out all after the word "property," in line 10, of section 1, to and including all of line 15, and insert in lieu thereof: "sought to be attached is not exempt from execution, and, if the personal earnings of the defendant are sought to be attached, that the defendant is not the head or support of a family, or that such earnings are not for services rendered within three months before the commencement of the action, or that being earned within that time, the same amount to more than one hundred and fifty dollars, and that only the excess over that amount is sought to be attached."

Attest :

L. A. BRUNNER, *Clerk.*

On motion of Mr. Curtiss, said bill and amendments were referred to the committee on the Judiciary.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The House of Representatives has concurred in the passage of the following bill :

S. B. No. 363—Mr. Tyler—To amend the act of May 14, 1878, entitled an act to amend, revise and consolidate the statutes relating to municipal corporations, to be known as title twelve, part one of the act to revise and consolidate the general statutes of Ohio, (75 Vol., 161-394)—with the following amendment, in which the concurrence of the Senate is requested :

In section 1, line 9, after the word "markets", insert: "and regulate the sale of produce and other merchandise from canal boats, vessels, railroad depots, and from cars on railroad tracks".

Attest :

L. A. BRUNNER, *Clerk.*

The question being on concurring in said House amendment, the yeas and nays were taken, and resulted—yeas 25, nays none, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beer, Carlisle, Carson, Curtiss, Dungan, Fisher, Grove, Howland, Irvine, Jackson of Clinton, Jackson of Perry, Kelley, Krimmel, Lord, Marsh, McDonald, Owens, Parker, Richards, Steedman, Stokes, Tyler, Wagener and Wilson—25.

So the Senate concurred in said House amendment.

Mr. Tyler moved to take from the table H. B. No. 645.

Which was agreed to.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 25, nays 1, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Benson, Carlisle, Carson, Curtiss, Dungan, Grove, Howland, Irvine, Jackson of Clinton, Jackson of Perry, Joy, Kelley, Krimmel, Lord, Marsh, McDonald, Owens, Parker, Sabine, Steedman, Stokes, Tyler and Wilson—25.

Mr. Fisher voted in the negative.

So the bill passed. The title was agreed to.

The following bills, on leave, were introduced and read the first time :

S. B. No. 386—Mr. Benson—To authorize the purchase of the Klippart Library.

S. B. No. 387—Mr. Tyler—To regulate the appointment of Superintendent for the Greenfield Cemetery, in the village of Greenfield, Highland county, Ohio.

Mr. Tyler moved that the constitutional rule, requiring bills to be read on three different days, be suspended, that H. B. No. 387 may be read the second time.

On which motion the yeas and nays were taken, and resulted—yeas 29, nays none, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Carson, Curtiss, Dungan, Fisher, Grove, Howland, Jackson of Clinton, Jackson of Perry, Joy, Kelley, Krimmel, Lord, Marsh, Owens, Richards, Sabine, Saltzgaber, Seitz, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—29.

So the motion was agreed to, and the bill was read the second time, and referred to the committee on Municipal Corporations.

Mr. Steedman moved to take from the table S. B. No. 309.

Which was agreed to.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 24, nays 5, as follow :

Those who voted in the affirmative were—

Messrs. Beebe, Beer, Benson, Carlisle, Carson, Curtiss, Grove, Howland, Irvine, Jackson of Perry, Joy, Kelley, Krimmel, Lord, McDonald, Owens, Richards, Sabine, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—24.

Those who voted in the negative were—

Messrs. Fisher, Marsh, Parker, Seitz and Sherrick—5.

So the bill passed. The title was agreed to.

Mr. Armstrong submitted the following report :

The standing committee on Claims, to whom was referred H. B. No. 994—For the relief of Chas. Shedd—having had the same under consideration, report it back, and recommend its passage.

J. M. ARMSTRONG,	G. A. GROVE,
J. C. McDONALD,	H. SABINE,
J. B. WILLIAMS,	C. S. PARKER.

Said bill was ordered to be engrossed and read the third time tomorrow.

Mr. Beer moved to take from the table H. B. No. 860.

Which was agreed to.

Mr. Sabine moved to refer the bill to a select committee of one, with instructions to amend as follows :

In line one, of sub-division 38, after the word "ferries," insert the following : "and to license bill-posters and regulate the posting of bills."

Which was agreed to, and Mr. Sabine was appointed such committee, and reported the bill back amended as instructed.

Mr. Sabine moved to refer the bill to a select committee of one, with instructions to amend as follows :

By striking out line 19, section 1, sub-division 5, and inserting the following : "To submit to the vote of the qualified electors of incorporated villages at an annual election in April or October, upon a petition of one-fourth of the electors thereof, according to the last preceding election, when such petition has been made at least thirty days before such election, the question : shall the Trustees or Council thereof regulate, restrain and prohibit ale, beer, and porter-houses or shops and houses and places of notorious or habitual resort for tippling or intemperance ; and upon an affirmative majority vote therefor, the Council or Trustees of such incorporated village shall immediately enact such ordinances with such terms and penalties as shall be calculated to carry into effect the will of such electors of such village as determined by such submission."

Mr. Steedman moved that said bill and pending amendment be laid on the table.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 12, nays 9, as follow :

Those who voted in the affirmative were —

Messrs. Armstrong, Carson, Fisher, Grove, Irvine, Joy, Krimmel, McDonald, Seitz, Sherrick and Steedman—12.

Those who voted in the negative were—

Messrs. Beebe, Beer, Howland, Jackson of Clinton, Kelley, Parker, Richards, Sabine and Wilson—9.

So the motion was agreed to.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The House of Representatives accedes to the request of the Senate, and herewith returns H. B. No. 788, by Mr. Greene.

Attest :

L. A. BRUNNER, *Clerk.*

The question recurring on agreeing to the report of the committee, to indefinitely postpone said bill—

The report was disagreed to, and the bill was ordered to be engrossed and read the third time now, and was then read.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 19, nays 11, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Benson, Carson, Curtiss, Dungan, Fisher, Grove, Jackson of Clinton, Jackson of Perry, Joy, Krimmel, Lord, McDonald, Owens, Richards, Steedman, Tyler and Wagener—19.

Those who voted in the negative were —

Messrs. Beer, Forrest, Howland, Kelley, Marsh, Parker, Sabine, Saltzgaber, Seitz, Sherrick and Stokes—11.

So the bill passed. The title was agreed to.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bills, in which the concurrence of the Senate is requested:

H. B. No. 1072—Mr. Sawyer—For the relief of Charles Koahn.

H. B. No. 990—Mr. Covert—To amend the act of May 5, 1877, entitled an act to amend, revise and consolidate the statutes relating to crimes and offenses, and to repeal certain acts therein named, to be known as title one, crimes and offenses, part four of the act to revise and consolidate the general statutes of Ohio, (Vol. 74, O. L., p. 246.)

H. B. No. 979—Mr. Oglevée—To amend section one hundred and ninety-eight, of chapter two of an act entitled an act to revise and consolidate the laws relating to procedure in Probate Court, (O. L., Vol. 75, p. 899).

H. B. No. 863—Mr. Klimper—To more fully secure the equal and just taxation of property.

H. B. No. 1065—Mr. Bloom—To reduce the salaries of certain officers therein named.

H. B. No. 1077—Mr. Scott—To amend section eight of an act entitled an act to regulate mines and mining, and to repeal an act therein named, passed March 21, 1874, (O. L., Vol. 71, p. 21.)

Attest:

L. A. BRUNNER, *Clerk.*

Said bills were read the first time.

Mr. Beer moved that the constitutional rule, requiring bills to be read on three different days, be suspended, that H. B. No. 1065 may be read the second time.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 27, nays none, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carson, Curtiss, Dungan, Fisher, Forrest, Grove, Howland, Irvine, Jackson of Clinton, Jackson of Perry, Joy, Kelley, Marsh, McDonald, Owens, Parker, Richards, Sabine, Seitz, Sherrick, Steedman, Stokes and Tyler—27.

So the motion was agreed to, and the bill was read the second time, and referred to the committee on Fees and Salaries of Public Officers.

Mr. Richards moved that the constitutional rule, requiring bills to be read on three different days, be suspended, that H. B. No. 1077 may be read the second time.

On which motion the yeas and nays were taken, and resulted -- yeas 28, nays 1, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Curtiss, Dungan, Fisher, Grove, Howland, Irvine, Jackson of Clinton, Jackson of Perry, Joy, Kelley, Krimmel, Marsh, McDonald, Owens, Parker, Richards, Sabine, Seitz, Sherrick, Steedman, Stokes, Tyler, Wagener and Williams—28.

Mr. Carson voted in the negative.

So the motion was agreed to, and the bill was read the second time, and referred to the committee on Mines and Mining.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The Speaker of the House of Representatives has, in the presence of the House, signed the following bills:

H. B. No. 1048—Mr. Crosson—To authorize the incorporated village of Batavia, Ohio, to issue bonds for the purpose of improving town-hall, purchasing ground, and building a village prison.

H. B. No. 1044—Mr. Townsend—Authorizing the County Commissioners of Athens county, Ohio, to levy an additional tax for county and poor purposes.

H. B. No. 1047—Mr. Crosson—To authorize the village of Batavia, Ohio, to transfer certain funds of said incorporated village to the building fund of said village.

H. B. No. 1068—Mr. Parker—Relating to incorporated villages having a population of not less than two thousand three hundred and twenty-two, and not more than two thousand three hundred and twenty-four by the federal census of 1870.

Substitute for H. B. No. 566—Mr. Wright—Relating to the election of Electors of President and Vice-President of the United States and members of Congress.

H. B. No. 766—Mr. Bloom—To authorize the Register of Virginia Military School Lands, at Mansfield, Ohio, to close the business of his office.

H. B. No. 836—Mr. Booth—To amend sections twelve and thirteen, of chapter four, division 7 of an act entitled an act to amend, revise and consolidate the statutes relating to municipal corporations, to be known as title twelve, part one of the act to revise and consolidate the general statutes of Ohio, passed May 14, 1878, (75, O. L., 161.)

H. B. No. 1045—Mr. Clough—To amend an act entitled an act to authorize the Council of the incorporated village of Middletown to issue bonds for the purchase of grounds, and the erection and completion of a town-hall, engine and hose-house and prison, passed February 4, 1878.

S. B. No. 293—Mr. Forrest—To exempt certain property of benevolent institutions from seizure and sale on execution.

S. B. No. 318—Mr. Richards—To authorize the incorporated village of Salem, Columbiana county, Ohio, to levy a tax to improve the streets of said village.

Attest:

L. A. BRUNNER, *Clerk.*

The President, in presence of the Senate, signed said bills.

Mr. Armstrong submitted the following report:

The standing committee on Soldiers' and Sailors' Orphans' Home, to whom was referred H. B. No. 944—To amend an act passed May 13, 1878, entitled an act for the reorganization and better management of the Soldiers' and Sailors' Orphans' Home—having had the same under consideration, report it back, with the following amendments, and recommend its passage when so amended:

In section 3, line 3, after the word "sailors," insert the words "from this State."

At the end of section 5, add the following: "And the board of trustees are hereby authorized, when in their opinion the best interests of any inmate of said home would be subserved thereby, to secure a home in a private family for such child upon such terms as they may agree upon,

reserving the right to replace it in the home when they shall deem it best for such child."

GEO. P. TYLER, J. B. WILLIAMS,
JOHN SEITZ, C. F. KRIMMEL,
J. M. ARMSTRONG,

Mr. Sherrick moved that said report be laid on the table.
Which was agreed to.

On motion of Mr. Joy, the Senate adjourned.

Attest:

ALLEN O. MYERS, *Clerk.*

WEDNESDAY, June 11, 1879—10 o'clock A.M.

The Senate met pursuant to adjournment.

Prayer by Rev. I. F. Stidham.

The Journal was read and approved.

Bills were read the second time and referred, as follows:

H. B. No. 990—Mr. Covert—To amend the act of May 5, 1877, entitled an act to amend, revise and consolidate the statutes relating to crimes and offenses, and to repeal certain acts therein named, to be known as title one, crimes and offenses, part four of the act to revise and consolidate the general statutes of Ohio, (Vol. 74, O. L., p. 246).

Select committee of three—Messrs. Owens, Curtiss and Steedman.

H. B. No. 1072—Mr. Sawyer—For the relief of Charles Koahn.

Committee on Finance.

H. B. No. 979—Mr. Oglevce—To amend section one hundred and ninety-eight, of chapter two of an act entitled an act to revise and consolidate the laws relating to procedure in Probate Court, (O. L., Vol. 75, p. 899).

Committee on the Judiciary.

H. B. No. 863—Mr. Klimper—To more fully secure the equal and just taxation of property.

Committee on Finance.

S. B. No. 386—Mr. Benson—To authorize the purchase of the Klippart library.

Committee on Finance.

Mr. Saltzgaber submitted the following report:

The standing committee on Judiciary, to whom was referred S. B. No. 313, with House amendment, having had the same under consideration, report it back, and recommend that the Senate concur in House amendment.

W. T. FORREST, G. M. SALTZGABER,
IRVINE DUNGAN, D. WAGENER.

The question being on concurring in said House amendment, the yeas and nays were taken, and resulted—yeas 30, nays 1, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Carson, Curtiss, Dungan, Fisher, Forrest, Grove, Howland, Jackson of Clinton, Jackson of Perry, Joy, Kelley, Krimmel, Marsh, McDonald, Owens, Parker, Richards, Sabine, Seitz, Sherrick, Stokes, Tyler, Wagener, Williams and Wilson—30.

Mr. Irvine voted in the negative.
So the Senate concurred in said House amendment.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has concurred in Senate amendments to the following bills:

H. B. No. 53—Mr. Reed of Ross—To amend section one of an act passed March 27, 1875, (O. L., Vol. 72, p. 85), entitled an act to amend section one of an act entitled an act to fix the rates of toll on turnpike and plank road companies, passed March 16, 1875, (S. & S., p. 147.)

H. B. No. 1069—Mr. Washburn—To amend section one of an act entitled an act to authorize the Commissioners of Pike county to build an improved road, and the Board of Public Works to grant certain rights.

H. B. No. 791—Mr. Covert—To authorize cities, counties, villages and townships to levy taxes for special improvements, and for the payment of debts.

Attest:

L. A. BRUNNER, *Clerk.*

Mr. Dungan submitted the following report:

The joint committee on Enrollment has examined, and found correctly enrolled, the following bills and joint resolutions:

S. J. R. No. 89—Providing for the printing of three thousand copies of Fish Commissioners' report of 1878.

S. J. R. No. 96—Authorizing the Secretary of State to return H. B. No. 894 to Clerk of House of Representatives.

S. J. R. No. 73—Relating to the military record of Gustavus S. Grate.

S. B. No. 371—To authorize the town Council of the village of Huntsville, Miami county, to issue bonds of said village to supply said village with water.

S. B. No. 260—For the relief of Arcus Rumfield.

S. B. No. 295—Subdividing the Fifth Common Pleas District, and providing for an additional Judge in the third subdivision therein.

S. B. No. 367—To amend section one of an act passed April 17, 1873, (O. L., Vol. 70, p. 136), relating to township cemeteries.

S. B. No. 323—To authorize the Commissioners of Summit county to transfer certain funds.

S. B. No. 340—To amend section ten, of chapter six, division two of an act entitled an act to revise and consolidate the laws relating to civil procedure in Courts of Common Pleas and Superior Courts, in District Courts on appeal, and also the laws relating to procedure in error, mandamus and quo warranto, passed May 14, 1878, (O. L., Vol. 75, pp. 613 and 614.)

S. B. No. 228—To amend section one of an act entitled an act to amend sections one and four of an act entitled an act to provide for the repair of free turnpike roads in certain counties, and to authorize the County Commissioners of any county in this State to constitute a board of directors, to regulate the hauling of heavy burdens on any free turnpike or improved road, passed and took effect April 20, 1874, passed March 17, 1875, (O. L., Vol. 72, p. 59), passed April 3, 1876, (O. L., Vol. 73, p. 151), passed May 2, 1877, (O. L., Vol. 74, p. 153).

S. B. No. 375—To authorize the Board of Education of the village of

New Straitsville, Perry county, to issue bonds to purchase a school-house.

S. B. No. 336—To amend section thirteen of an act entitled an act relating to roads and highways, passed March 9, 1868, as amended March 4, 1878.

S. B. No. 359—To abolish joint sub-district No. 1, in Big Island, and No. 6, in Marion townships, Marion county, Ohio, and to readjust the territory thereof.

S. B. No. 263—To amend an act entitled an act to amend section five of an act entitled an act making provisions for the incorporation of county associations, passed February 24, 1848, amended and passed March 29, 1875, (O. L., Vol. 72, p. 113.)

S. B. No. 354—Relating to incorporated villages having a population of not more than one thousand and thirty-seven, and not less than one thousand and thirty-six by the federal census of 1870.

H. B. No. 857—For the relief of Theodore Dickman.

H. B. No. 1058—To authorize the Commissioners of Delaware county to pay the indebtedness of the Agricultural Society of said county.

H. B. No. 879 To authorize the Commissioners of Champaign county to build a bridge across the Pittsburg, Cincinnati and St. Louis, and the Atlantic and Great Western railroads, in the city of Urbana, in said county.

H. B. No. 882—To provide for the re-recording of destroyed and spoliated records.

S. J. R. No. 82—Directing the Supervisor of Public Printing to omit certain reports from the forthcoming volume of executive documents.

S. J. R. No. 92—Directing the printing of school laws.

S. B. No. 382—To provide for securing title to land for park purposes in certain cities.

S. B. No. 287—To authorize the city of Akron to receive moneys in trust for the Akron Rural Cemetery Association.

H. B. No. 629—To amend sections 4 and 5, of chapter 5, of division eight of the act entitled an act to amend, revise and consolidate the statutes relating to municipal corporations, to be known as title twelve, part one of the act to revise and consolidate the general statutes of Ohio, passed May 14, 1878, (O. L., Vol. 75, p. 359.)

IRVINE DUNGAN,	WM. JESSUP,
C. F. KRIMMEL,	F. M. CARTER,
J. W. WASHBURN,	R. G. RICHARDS.
A. D. MARSH,	

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The Speaker of the House of Representatives has, in the presence of the House, signed the following bills and joint resolutions:

S. B. No. 336—Mr. Jackson of Clinton—To amend section thirteen of an act entitled an act relating to roads and highways, passed March 9, 1868, as amended March 4, 1878.

S. B. No. 375—Mr. Jackson of Perry—To authorize the Board of Education of the village of New Straitsville, Perry county, to issue bonds to purchase a school-house.

S. B. No. 228—Mr. Jackson of Clinton—To amend section one of an act entitled an act to amend sections one and four of an act entitled an act to provide for the repair of free turnpike roads in certain counties, and to authorize the County Commissioners of any county in this State to constitute a board of directors, to regulate the hauling of heavy burdens on any free turnpike or improved road, passed and took effect April 20, 1874; passed March 17, 1875, (O. L., Vol. 72, p. 59); passed April 3, 1876, (O. L., Vol. 73, p. 151); passed May 2, 1877, (O. L., Vol. 74, p. 153).

S. B. No. 360—Mr. Beer—For the relief of Arcus Rumfield.

S. J. R. No. 96—Mr. Sherrick—Authorizing the Secretary of State to return H. B. No. 894 to the Clerk of House.

S. B. No. 367—Mr. Grove—To amend section one of an act passed April 17, 1873, (O. L., Vol. 70, p. 136), relating to township cemeteries.

S. B. No. 371—Mr. Carson—To authorize the town Council of the village of Huntsville, in Miami county, to issue bonds of said village to supply said village with water.

S. B. No. 295—Mr. Wilson—Subdividing the Fifth Common Pleas District, and providing for an additional Judge in the third subdivision therein.

S. B. No. 340—Mr. Joy—To amend section ten, of chapter six, division two of an act entitled an act to revise and consolidate the laws relating to civil procedure in Courts of Common Pleas and Superior Courts, in District Courts on appeal, and also the laws relating to procedure in error, mandamus and quo warranto, passed May 14, 1878, (O. L., Vol. 75, pp. 613 and 614).

S. J. R. No. 89—Mr. Fisher—Providing for the printing of three thousand copies of the Fish Commissioners' report of 1878.

S. B. No. 354—Mr. Tyler—Relating to incorporated villages having a population of not more than one thousand and thirty-seven, and not less than one thousand and thirty-six by the federal census of 1870.

S. B. No. 359—Mr. Sabine—To abolish joint sub-district No. 1, in Big Island, and No. 6, in Marion townships, Marion county, Ohio, and to re-adjust the territory thereof.

S. B. No. 263—Mr. Beebe—To amend an act entitled an act to amend section five of an act entitled an act making provisions for the incorporation of county associations, passed February 24, 1848, amended and passed March 29, 1875, (O. L., Vol. 72, p. 113).

S. B. No. 323—Mr. Beebe—To authorize the Commissioners of Summit county to transfer certain funds.

S. J. R. No. 73—Mr. Jackson of Perry—Relating to the military record of Gustavus Grate.

H. B. No. 882—Mr. Booth—To provide for the re-recording of destroyed and spoliated records.

H. B. No. 1058—Mr. Elliott—To authorize the Commissioners of Delaware county to pay the indebtedness of the Agricultural Society of said county.

H. B. No. 857—Mr. Sawyer—For the relief of Theodore Dickman.

H. B. No. 879—Mr. Cowgill—To authorize the Commissioners of Champaign county to build a bridge across the Pittsburg, Cincinnati and St. Louis, and the Atlantic and Great Western railroads, connecting Walnut and Laurel Oak streets, in the city of Urbana, in said county.

Attest :

L. A. BRUNNER, *Clerk.*

The President, in presence of the Senate, signed said bills and joint resolutions.

H. B. No. 1070—Mr. Baker—For the relief of Allan Cremean—was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 28, nays none, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Carson, Curtiss, Dungan, Fisher, Forrest, Grove, Howland, Irvine, Jackson of Clinton, Joy, Kelley, Krimmel, Marsh, Parker, Richards, Sabine, Seitz, Sherrick, Stokes, Tyler, Wagener, Williams and Wilson—28.

So the bill passed. The title was agreed to.

H. B. No. 1071—Mr. Reed of Ross—To authorize the City Council of the city of Chillicothe to invest a surplus fund in United States or other securities—was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 30, nays 2, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Carson, Curtiss, Fisher, Forrest, Grove, Howland, Irvine, Jackson of Clinton, Jackson of Perry, Joy, Kelley, Krimmel, Lord, Marsh, McDonald, Owens, Parker, Richards, Sabine, Seitz, Sherrick, Stokes, Wagener, Williams and Wilson—30.

Messrs. Dungan and Steedman voted in the negative.

So the bill passed. The title was agreed to.

H. B. No. 1050—Mr. Stubbs—To amend section six of an act to regulate enclosures, and to provide against trespassing animals, passed January 17, 1840, (O. L., Vol. 38, p. 4)—was read the third time.

On motion of Mr. Jackson of Perry, said bill was laid on the table.

H. B. No. 994—Mr. Levering—For the relief of Charles Shedd—was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted - yeas 25, nays 1, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beer, Benson, Carlisle, Carson, Curtiss, Dungan, Fisher, Forrest, Grove, Howland, Jackson of Perry, Joy, Kelley, Krimmel, Marsh, McDonald, Parker, Seitz, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—25.

Mr. Irvine voted in the negative.

So the bill passed. The title was agreed to.

Mr. Jackson of Perry presented the remonstrance of John L. Taylor and 364 other citizens of Muskingum county, against the passage of H. B. No. 1003, to prevent dealing in railroad tickets by others than the railroad company.

Which was referred to the committee on Railroads, Telegraphs and Turnpikes.

Mr. Jackson of Clinton, on leave, introduced the following bill, which was read the first time :

S. B. No. 388—To amend section one of an act to authorize the creation of a special school district in New Antioch and territory thereto annexed, for school purposes, in Clinton county, passed March 30, 1875.

Mr. Grove, on leave, introduced the following bill, which was read the first time :

S. B. No. 389—To amend an act entitled an act to create two voting precincts in the township of Clay, Montgomery county, Ohio.

Mr. Grove moved that the constitutional rule, requiring bills to be read on three different days, be suspended, that S. B. No. 389 may be read the second time.

On which motion the yeas and nays were taken, and resulted—yeas 28, nays none, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Carson, Dungan, Fisher, Forrest, Grove, Howland, Jackson of Clinton, Jackson of Perry, Marsh, McDonald, Owens, Parker, Richards, Sabine, Saltzgaber, Seitz, Sherrick, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—28.

So the motion was agreed to, and the bill was read the second time, and referred to the committee on Privileges and Elections.

Mr. Marsh submitted the following report:

The standing committee on Municipal Corporations, to whom was referred H. B. No. 1036—To authorize the Commissioners of Brown county to levy a tax to pay indebtedness of the county—having had the same under consideration, report it back, and recommend its passage.

THEO. MARSH,	G. A. GROVE,
G. W. WILSON,	LYMAN J. JACKSON.
R. G. RICHARDS,	

Said bill was ordered to be engrossed and read the third time to-morrow.

Mr. Tyler submitted the following report:

The standing committee on Railroads, Telegraphs and Turnpikes, to whom was referred H. B. No. 1042—To amend sections three and four of an act to enable the Commissioners of Montgomery and Warren counties to purchase toll-roads, and to convert the same into free turnpike roads, passed May 10, 1878, (O. L., Vol. 75, p. 1150)—having had the same under consideration, report it back without recommendation.

H. C. LORD,	GEO. P. TYLER,
D. JOY,	J. C. FISHER.
H. SABINE,	

Said bill was ordered to be engrossed and read the third time to-morrow.

Mr. Armstrong moved to take from the table the report of the committee on H. B. No. 944.

Which was agreed to.

Said report was agreed to, and the bill was ordered to be engrossed and read the third time to-morrow.

Mr. Steedman moved to reconsider the vote whereby said bill was ordered to be placed on the calender for third reading to-morrow.

Which was agreed to.

On motion of Mr. Steedman, said bill was laid on the table.

On motion of Mr. Sherrick, the Senate took a recess.

THREE O'CLOCK P.M.

Mr. Sherrick moved that the Senate adjourn.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 12, nays 14, as follow:

Those who voted in the affirmative were—

Messrs. Beebe, Carlisle, Carson, Fisher, Marsh, McDonald, Parker, Seitz, Sherrick, Stokes, Wagener and Williams—12.

Those who voted in the negative were—

Messrs. Armstrong, Beer, Benson, Curtiss, Dungan, Grove, Jackson of Clinton, Joy, Kelley, Lord, Owens, Richards, Sabine and Tyler—14.

So the motion was disagreed to.

On demand of Mr. Joy, a call of the Senate was had.

Thirty-one Senators answered to their names.

Messrs. Steedman, Krimmel, Johnston and Irvine were absent.

Mr. Sherrick moved that the Senate adjourn.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 17, nays 10, as follow :

Those who voted in the affirmative were—

Messrs. Beebe, Carlisle, Carson, Dungan, Fisher, Forrest, Grove, Joy, Kelley, Lord, Marsh, McDonald, Saltzgaber, Seitz, Sherrick, Wagener and Williams—17.

Those who voted in the negative were—

Messrs. Armstrong, Beer, Benson, Curtiss, Jackson of Clinton, Owens, Richards, Sabine, Stokes and Tyler—10.

So the motion was agreed to, and the Senate adjourned.

Attest:

ALLEN O. MYERS, *Clerk.*

THURSDAY, June 12, 1879—10 o'clock A.M.

The Senate met pursuant to adjournment.

Prayer by Rev. I. F. Stidham.

The Journal was read and approved.

Mr. Sherrick moved that a message be sent to the House, requesting a certified copy of H. B. No. 421.

Which was agreed to.

S. B. No. 388—Mr. Jackson of Clinton—To amend section one of an act to authorize the creation of a special school district in New Antioch, and territory thereto annexed, for school purposes, in Clinton county, passed March 30, 1875—was read the second time, and referred to the committee on Common Schools and School Lands.

H. B. No. 1036—Mr. Parker—To authorize the Commissioners of Brown county to levy a tax to pay indebtedness of the county—was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 24, nays 1, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Curtiss, Grove, Howland, Jackson of Clinton, Joy, Kelley, Krimmel, Lord, Marsh, McDonald, Parker, Richards, Sabine, Seitz, Steedman, Stokes, Tyler, Wagener and Wilson—24.

Mr. Carson voted in the negative.

So the bill passed. The title was agreed to.

H. B. No. 1042—Mr. Crosley—To amend sections three and four of an act to enable the Commissioners of Montgomery and Warren counties to purchase toll-roads, and to convert the same into free turnpike roads,

passed May 10, 1878, (O. L., Vol. 75, p. 1150) — was read the third time.

Mr. Grove moved to refer the bill to a select committee of one, with instructions to amend as follows :

Section 1, line 23, after the word "county," insert: "excepting all such lands or lots of land as have heretofore been assessed for the construction of any free turnpike or improved road or roads already constructed, or in course of construction. at the time the levy of tax aforesaid, unless the amount that would be ratably levied upon the said lands shall exceed the amount of such assessment, and in such case such excess only shall be levied and collected."

Which was agreed to, and Mr. Grove was appointed such committee, and reported the bill back amended as instructed.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 29, nays none, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Carson, Curtiss, Dungan, Fisher, Forrest, Grove, Howland, Jackson of Clinton, Jackson of Perry, Joy, Krimmel, Lord, McDonald, Owens, Parker, Richards, Sabine, Seitz, Sherrick, Stokes, Tyler, Wagener, Williams and Wilson—29.

So the bill passed. The title was agreed to.

Mr. Seitz submitted the following report :

The standing committee on Finance, to whom was referred H. B. No. 1078—To authorize the town Council of the village of Republic, Seneca county, Ohio, to transfer certain funds—having had the same under consideration, report it back, with the recommendation that it be passed.

JOHN SEITZ,	J. C. FISHER,
THOS. M. BEER,	H. W. CURTISS.
J. SHERRICK,	

Said bill was ordered to be engrossed and read the third time now, and was then read.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 28, nays 1, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Carlisle, Carson, Curtiss, Fisher, Forrest, Grove, Howland, Jackson of Clinton, Joy, Krimmel, Lord, Marsh, McDonald, Owens, Parker, Richards, Sabine, Seitz, Sherrick, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—28.

Mr. Benson voted in the-negative.

So the bill passed. The title was agreed to.

Mr. Steedman submitted the following report :

The standing committee on Public Works and Public Lands, to whom was referred the memorial of the late lessees of the Public Works, concerning their claim for a balance due on contract for the purchase of their boats, implements, etc., by the State Board of Public Works, having had the same under consideration, report that we are of opinion that there was a contract between the said Board of Public Works and the said lessees, whereby the board agreed to pay said lessees for their said boats, etc., the sum of \$38,820.00; that they paid on said contract \$20,000.00, leaving a balance due the lessees of \$18,820.00. We therefore recommend that the claim of the lessees for that sum be recognized and allowed; and herewith we submit for adoption a resolution for that purpose, and for the settlement of differences between the State and said lessees :

S. J. R. No. 97: *Be it resolved by the General Assembly of the State of Ohio:*

1. That the Governor, Secretary of State, and Attorney-general are authorized and empowered to adjust and settle, on such terms as they deem best for the interest of the State, with the late lessees of the public works, all matters of difference between the State and said lessees, including the cause of action pending in the Superior Court of Montgomery county between the State and said lessees, and all claims which the State has or claims to have against said lessees on account of damages for the non-performance of the terms of their lease of the public works, and also including the claim which said lessees have against the State for the balance due them on a contract for the purchase of their boats, tools, implements, horses, etc., made with said lessees by the said Board of Public Works, which said balance is eighteen thousand eight hundred and twenty dollars, with interest thereon from the date of the adoption of this resolution.

2. That if an adjustment and settlement is made of the differences aforesaid, the Governor, Secretary of State, and Attorney-general are authorized to use so much of the money in the hands of the receiver of the public works, appointed by said court in said county, as may be necessary to pay said lessees the said balance due them on said contract; and the balance in the hands of said receiver, and any other sum which may be received in such settlement, shall be paid into the State treasury.

JAMES B. STEEDMAN,	LYMAN J. JACKSON,
W. P. HOWLAND,	G. W. WILSON,
H. C. LORD,	G. A. GROVE.

Mr. Saltzgaber moved to amend the resolution as follows:

Strike out of lines 18 and 19, the words: "eighteen thousand eight hundred and twenty dollars, with interest thereon from the date of the adoption of this resolution."

On which motion the yeas and nays were demanded, taken, and resulted—yeas 11, nays 17, as follow:

Those who voted in the affirmative were—

Messrs. Beebe, Beer, Benson, Carson, Fisher, Howland, Parker, Saltzgaber, Seitz, Sherrick and Stokes—11.

Those who voted in the negative were—

Messrs. Armstrong, Carlisle, Curtiss, Irvine, Jackson of Clinton, Joy, Kelley, Krimmel, Lord, Marsh, McDonald, Richards, Steedman, Tyler, Wagener, Williams and Wilson—17.

So the motion was disagreed to.

The question being on the adoption of the resolution, the yeas and nays were taken, and resulted—yeas 24, nays 5, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Benson, Carlisle, Curtiss, Dungan, Grove, Howland, Irvine, Jackson of Clinton, Joy, Krimmel, Lord, Marsh, McDonald, Owens, Parker, Richards, Sherrick, Steedman, Tyler, Wagener, Williams and Wilson—24.

Those who voted in the negative were—

Messrs. Beer, Fisher, Saltzgaber, Seitz and Stokes—5.

So said resolution was adopted.

Mr. Marsh submitted the following report:

The standing committee on Municipal Corporations, to whom was referred H. B. No. 848—To regulate public ware houses, excepting those used exclusively for the storage of tobacco, in cities of the first grade of

the first class—having had the same under consideration, report it back, and recommend its indefinite postponement.

THEO. MARSH, G. A. GROVE,
JAS. B. STEEDMAN, G. W. WILSON.
G. M. SALTZGABER,

Said report was agreed to.

Mr. Marsh submitted the following report :

The standing committee on Municipal Corporations, to whom was referred H. B. No. 760—To amend section five, of chapter eleven, division eight of an act entitled an act to amend, revise and consolidate the statutes relating to municipal corporations, to be known as title twelve, part one of the act to revise and consolidate the general statutes of Ohio, passed May 14, 1878, (O. L., 75 Vol., p. 379)—having had the same under consideration, report it back without recommendation.

THEO. MARSH, JAMES B. STEEDMAN,
R. G. RICHARDS, G. A. GROVE.
G. M. SALTZGABER,

On motion of Mr. Sherrick, said bill was laid on the table.

Mr. Saltzgaber submitted the following report :

The standing committee on Fees and Salaries, to whom was referred H. B. No. 1065—To reduce the salary of certain officers therein named—having had the same under consideration, report it back, with the recommendation that it be passed.

G. M. SALTZGABER, G. W. WILSON,
JAMES B. STEEDMAN, JOHN SEITZ.
THEO. MARSH,

Mr. Sherrick moved that said bill be laid on the table.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 22, nays 7, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Benson, Carlisle, Dungan, Fisher, Forrest, Grove, Howland, Irvine, Joy, Krimmel, Lord, Marsh, Parker, Saltzgaber, Seitz, Sherrick, Steedman, Stokes, Tyler, Wagener and Williams—22.

Those who voted in the negative were—

Messrs. Beebe, Beer, Curtiss, Kelley, Richards, Sabine and Wilson—7.

So the motion was agreed to.

Mr. Sherrick submitted the following report :

The standing committee on Finance, to whom was referred H. B. No. 1072—For the relief of Charles Koahn—report it back, and recommend its passage.

J. SHERRICK, THOS. M. BEER,
H. C. LORD, JOHN SEITZ.

Said bill was ordered to be engrossed and read the third time now, and was then read.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 29, nays 1, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beer, Benson, Carlisle, Carson, Curtiss, Fisher, Forrest, Howland, Jackson of Perry, Joy, Kelley, Krimmel, Lord, Marsh, McDonald, Owens, Parker, Richards, Sabine, Saltzgaber, Seitz, Sherrick, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—29.

Mr. Irvine voted in the negative.

So the bill passed. The title was agreed to.

Mr. Owens submitted the following report :

The select committee of three, to whom was referred H. B. No. 990—To amend the act of May 5, 1877, entitled an act to amend, revise and consolidate the statutes relating to crimes and offenses, and to repeal certain acts therein named, to be known as title one, crimes and offenses, part four of the act to revise and consolidate the general statutes of Ohio, (Vol. 74, O. L., p. 246)—having had the same under consideration, report it back, and recommend its passage.

JAMES W. OWENS,
H. W. CURTISS,
JAS. B. STEEDMAN.

Said bill was ordered to be engrossed and read the third time tomorrow.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The House of Representatives has concurred in the passage of the following bill :

S. B. No. 368—Mr. Sabine—Amendatory to an act passed March 3, A. D. 1879, to change the time of holding a District Court in Logan county, in the first sub-division of the third district in Ohio.

Attest :

L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The House of Representatives has refused to agreed to the report of the committee of Conference on—

S. B. No. 358—Mr. Benson—To amend section thirty-five of an act entitled an act to amend, revise and consolidate the statutes relating to crimes and offenses, passed April 10, 1878, (O. L., Vol. 75, p. 108)—and asks for another committee of Conference.

Attest :

L. A. BRUNNER, *Clerk.*

Mr. Benson moved that the request of the House be acceded to.

Which was agreed to, and the President appointed Messrs. Benson, Carson and Beebe as such committee on part of the Senate.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The House of Representatives accedes to the request of the Senate, and herewith returns a certified copy of H. B. No. 421, by Mr. Booth.

Attest :

L. A. BRUNNER, *Clerk.*

Said bill was referred to the committee on Public Works and Public Lands.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The House of Representatives has concurred in the passage of the following substitute to—

Substitute for S. B. No. 365—To repeal an act entitled an act to provide for the revision and consolidation of the statute laws of Ohio, passed March 27, 1875—in which the concurrence of the Senate is requested.

Attest :

L. A. BRUNNER, *Clerk.*

Said bill and substitute was referred to the committee on the Judiciary.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The House of Representatives has appointed Messrs. Sawyer, Bloom and Smead a committee of Conference to consider the differences existing between the two Houses on S. B. No. 358, by Mr. Benson.

Attest :

L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The House of Representatives has adopted the following joint resolution, in which the concurrence of the Senate is requested:

H. J. R. No. 132—Mr. Bohl—Authorizing the Adjutant-general to make disposition of certain rooms in the Capitol.

Attest :

L. A. BRUNNER, *Clerk.*

On motion of Mr. Sherrick, said joint resolution was referred to the committee on Public Buildings.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The House of Representatives has adopted the following joint resolution, in which the concurrence of the Senate is requested:

H. J. R. No. 133—Mr. Haley—Instructing the Board of Public Works to examine certain lands.

Attest :

L. A. BRUNNER, *Clerk.*

On motion of Mr. Fisher, said joint resolution was referred to the committee on Public Works and Public Lands.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The House of Representatives has concurred in the passage of the following bill:

S. B. No. 243—Mr. Owens—To define and suppress tramps—with the following amendments, in which the concurrence of the Senate is requested:

Strike out all of section 2, after the word "house," in line 2, to the word "when," in line 6, and insert after the word "house," in line 2, same section, the following: "against the will or without the permission of the owner or occupant thereof, and shall not."

And in line 12, strike out the word "five," and insert the word "three."

In section 5, line 2, strike out "May," and insert "July."

Attest:

L. A. BRUNNER, *Clerk*.

The question being on concurring in said House amendments, the yeas and nays were ordered, taken, and resulted—yeas 25, nays none, as follow:

Those who voted in the affirmative were—

Messrs. Beebe, Beer, Carlisle, Carson, Curtiss, Dungan, Fisher, Forrest, Grove, Jackson of Clinton, Jackson of Perry, Joy, Kelley, Krimmel, Marsh, Owens, Parker, Richards, Sabine, Sherrick, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—26.

So said House amendments were concurred in.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has concurred in the passage of the following bill:

S. B. No. 373—Mr. Jackson of Perry—To provide for placing the names of streets and numbers of houses on the property of private individuals, by order of City Council—with the following amendment, in which the concurrence of the Senate is requested:

In section 1, line 2, after the word "class", insert: "second and".

Attest:

L. A. BRUNNER, *Clerk*.

The question being on concurring in said House amendment, the yeas and nays were ordered, taken, and resulted—yeas 26, nays none, as follow:

Those who voted in the affirmative were—

Messrs. Beebe, Benson, Carlisle, Carson, Curtiss, Dungan, Fisher, Grove, Jackson of Clinton, Jackson of Perry, Kelley, Krimmel, Marsh, McDonald, Owens, Parker, Richards, Sabine, Saltzgaber, Seitz, Sherrick, Steedman, Tyler, Wagener, Williams and Wilson—26.

So said House amendment was concurred in.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bill, in which the concurrence of the Senate is requested:

H. B. No. 1079—Mr. Paine—For the relief of the poor in certain cases.

Attest:

L. A. BRUNNER, *Clerk*.

Mr. Kelley moved that the constitutional rule, requiring bills to be read on three different days be suspended, that H. B. No. 1079 may be read the second time.

On which motion the yeas and nays were taken, and resulted—yeas 28, nays none, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Carson, Curtiss, Fisher, Forrest, Grove, Howland, Jackson of Clinton, Jackson of Perry,

Joy, Kelley, Krimmel, Marsh, McDonald, Parker, Richards, Sabine, Saltzgaber, Seitz, Sherrick, Steedman, Tyler, Wagener and Wilson—28.

So the motion was agreed to, and the bill was read the second time, and referred to the committee on Finance.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The House of Representatives has passed the following bill, in which the concurrence of the Senate is requested:

Substitute for H. B. No. 708—Mr. Sturgeon—Supplemental to sections one and two, of chapter four, of an act passed May 11, 1878, entitled an act to amend and revise the statutes relating to taxation, to be known as title thirteen, part one of the act to revise and consolidate the general statutes.

Attest:

L. A. BRUNNER, *Clerk.*

Said bill was read the first time.

Mr. Dungan submitted the following report:

The joint committee on Enrollment has examined, and found correctly enrolled, the following bills:

H. B. No. 781—Supplementary to the act entitled an act to incorporate the Defiance Female Seminary, in the county of Defiance, passed March 23, 1850.

H. B. No. 1069—To amend section one of an act entitled an act to authorize the Commissioners of Pike county to build an improved road and the Board of Public Works to grant certain rights.

H. B. No. 993—To authorize the Trustees of Rockport township, Cuyahoga county, to transfer certain funds therein named.

Substitute for H. B. No. 823—To establish a Board of Examiners of insecure and unsafe buildings, and the appointment of inspectors of buildings.

H. B. No. 1062—To authorize the County Commissioners of Lorain county to advertise for proposals and make contracts to build a Court-house.

H. B. No. 1067 To amend section one of an act supplementary to an act to incorporate the Muskingum College, passed March 3, 1863.

H. B. No. 53—To amend section one of an act passed March 27, 1875, (O. L., Vol. 72, p. 85), entitled an act to amend section one of an act entitled an act to fix the rates of toll on turnpikes and plank road companies, passed March 16, 1875, (S. & S., p. 147.)

H. B. No. 994—For the relief of Charles Shedd.

H. B. No. 1071—To authorize the City Council of the city of Chillicothe to invest a surplus fund in United States or other securities.

H. B. No. 352—To authorize the Board of Public Works to enlarge a culvert under the Ohio canal, in Circleville township, Pickaway county.

H. B. No. 1070—For the relief of Allan Cremean.

H. B. No. 926—To provide for the election of an additional Judge of the Court of Common Pleas in the second sub-division of the second judicial district.

H. B. No. 791—To authorize municipal corporations, counties and townships to levy taxes for special improvements, and for the payment of debts.

H. B. No. 1007—To authorize the Board of Education of Blanchard township, Putnam county, to borrow money and issue bonds for a purpose therein named.

H. B. No. 645—To amend section three of an act entitled an act supplementary to an act to provide for the appointment of Commissioners to examine claims growing out of the Morgan raid, and prescribing their duties, (Vol. 61, p. 85; S. & S., 466), passed May 13, 1878, (Vol. 75, p. 528).

H. B. No. 788—To amend the act of April 27, 1872, entitled an act to regulate insurance companies doing an insurance business in the State of Ohio, (Vol. 69, O. L., p. 140.)

IRVINE DUNGAN,	DUNCAN DOW,
C. F. KRIMMEL,	F. M. CARTER,
R. G. RICHARDS,	A. D. MARSH.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The Speaker of the House of Representatives has, in the presence of the House, signed the following bills and joint resolutions:

S. B. No. 287—Mr. Beebe—To authorize the city of Akron to receive money in trust for the Akron Rural Cemetery Association.

S. B. No. 382—Mr. Curtiss—To provide for securing title to land for park purposes in certain cities.

S. J. R. No. 82—Mr. Richards—Directing the Supervisor of Public Printing to omit certain reports from the forthcoming volume of executive documents.

S. J. R. No. 92—Mr. Sabine—Directing the printing of school laws.

H. B. No. 1062—Mr. Herrick—To authorize the County Commissioners of Lorain county to advertise for proposals and make contracts to build a new Court-house.

H. B. No. 1067—Mr. Achauer—To amend section one of an act entitled an act supplementary to an act to incorporate the Muskingum College, passed March 3, 1863.

H. B. No. 1069—Mr. Washburn—To amend section one of an act entitled an act to authorize the Commissioners of Pike county to build an improved road, and the Board of Public Works to grant certain rights.

H. B. No. 993—Mr. Palmer To authorize the Trustees of Rockport township, Cuyahoga county, to transfer certain funds therein named.

H. B. No. 994—Mr. Levering—For the relief of Charles Shedd.

H. B. No. 1070—Mr. Baker—For the relief of Allan Cremean.

H. B. No. 352—Mr. Van Cleaf—To authorize the Board of Public Works to enlarge a culvert under the Ohio canal, in Circleville township, Pickaway county.

H. B. No. 1071—Mr. Reed of Ross—To authorize the City Council of the city of Chillicothe to invest a surplus fund in United States or other securities.

H. B. No. 791—Mr. Covert—To authorize cities, counties, villages and townships to levy taxes for special improvements, and for the payment of debts.

H. B. No. 788—Mr. Greene—To amend the act of April 27, 1872, entitled an act to regulate insurance companies doing an insurance business in the State of Ohio, (Vol. 69, O. L., p. 140).

H. B. No. 645—Mr. Crosson - To amend section three of an act entitled an act supplementary to an act to provide for the appointment of Commissioners to examine claims growing out of the Morgan raid, and prescribing their duties, (Vol. 61, p. 85; S. & S., 466), passed May 13, 1878, (Vol. 75, p. 528).

H. B. No. 1007—Mr. Brown of Putnam—To authorize the Board of Education of Blanchard township, Putnam county, to borrow money and issue bonds for a purpose therein named.

H. B. No. 926—Mr. Sullivan of Miami—To provide for the election of an additional Judge of the Court of Common Pleas in the second subdivision of the second judicial district.

H. B. No. 781—Mr. Hardy of Defiance—Supplementary to the act entitled an act to incorporate the Defiance Female Seminary, in the county of Defiance, passed March 23, 1850.

H. B. No. 53 - Mr. Reed of Ross—To amend section one of an act passed March 27, 1875, (O. L., Vol. 72, p. 85), entitled an act to amend section one of an act entitled an act to fix the rates of toll on turnpikes and plank road companies, passed March 16, 1875, (S. & S., p. 147.)

H. B. No. 629—Mr. Wright—To amend sections four and five, of chapter five, of division eight of an act entitled an act to amend, revise and consolidate the statutes relating to municipal corporations, to be known as title twelve, part one of the act to revise and consolidate the general statutes of Ohio, passed May 14, 1878, (O. L., Vol. 75, p. 359.)

H. B. No. 823—Mr. Loder—To establish a Board of Examiners of insecure and unsafe buildings, and the appointment of inspectors of buildings.

Attest:

L. A. BRUNNER, *Clerk*.

The President, in presence of the Senate, signed said bills and joint resolutions.

MESSAGE FROM THE GOVERNOR.

THE STATE OF OHIO, EXECUTIVE DEPARTMENT,

COLUMBUS, 10th day of June, 1879.

To the Senate:

I have the honor to nominate, and by and with the advice and consent of the Senate, appoint Dr. Charles S. Muscroft, Sr., of Cincinnati, Hamilton county, to be a Director of Longview Asylum, for the term of five years:

Very respectfully,

RICHARD M. BISHOP.

Mr. Benson moved that the Senate advise and consent to said appointment.

Mr. Seitz moved to amend, that said communication be referred to the committee on Benevolent Institutions.

Which was disagreed to.

The question recurring on the motion to advise and consent to said appointment, the yeas and nays were taken, and resulted—yeas 25, nays 2, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Beer, Benson, Carlisle, Carson, Curtiss, Fisher,

Forrest, Irvine, Jackson of Clinton, Jackson of Perry, Joy, Kelley, Krimmel, Lord, McDonald, Owens, Parker, Sabine, Seitz, Sherrick, Steedman, Stokes, Wagener and Williams—25.

Messrs. Dungan and Marsh voted in the negative.

So the Senate advised and consented to said appointment.

Mr. Sherrick moved that the committee on Finance be discharged from the consideration of S. B. No. 386.

Which was agreed to.

On motion said, bill was referred to the committee on Universities, Colleges and Academies.

On motion of Mr. Joy, the Senate took a recess.

THREE O'CLOCK P.M.

Mr. Sherrick submitted the following report:

The standing committee on Finance, to whom was referred H. B. No. 1079—For the relief of the poor in certain cases—having had the same under consideration, report it back, with the recommendation that it be passed.

J. SHERRICK,	H. W. CURTISS,
J. C. FISHER,	THOS. M. BEER.
J. M. CARSON,	

Said bill was ordered to be engrossed and read the third time tomorrow.

Mr. Fisher submitted the following report:

The standing committee on Finance, to whom was referred H. B. No. 618—To amend sections one and two of an act to provide for the erection of a monument to the memory of General Simon Kenton, passed May 1, 1854, (O. L., Vol. 52, p. 87)—having had the same under consideration, report it back without recommendation.

H. W. CURTISS,	THOS. M. BEER,
J. SHERRICK,	J. M. CARSON.
J. C. FISHER,	.

Said bill was ordered to be engrossed and read the third time tomorrow.

Mr. Lord submitted the following report:

The standing committee on Finance, to whom was referred S. B. No. 385—To authorize the village of Avondale, Hamilton county, to borrow money to build a town-hall with offices for the officers of the corporation—having had the same under consideration, report it back, with the recommendation that it be passed.

H. C. LORD,	H. W. CURTISS,
J. C. FISHER,	J. M. CARSON,
THOS. M. BEER,	J. SHERRICK.
JOHN SEITZ,	

Said bill was ordered to be engrossed and read the third time now, and was then read.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 27, nays none, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Carson, Curtiss, Dungan, Fisher, Forrest, Grove, Irvine, Jackson of Clinton, Joy, Kelley, Lord,

Marsh, Owens, Parker, Sabine, Saltzgaber, Sherrick, Stokes, Tyler, Wagener, Williams and Wilson—27.

So the bill passed. The title was agreed to.

Mr. Lord submitted the following report:

The standing committee on Privileges and Elections, to whom was referred S. B. No. 389—To amend an act entitled an act to create two voting precincts in the township of Clay, Montgomery county, passed June 3, 1879—having had the same under consideration, report it back, and recommend its passage.

H. C. LORD,	L. J. JACKSON,
C. F. KRIMMEL,	W. T. FORREST.
R. G. RICHARDS,	

Said bill was ordered to be engrossed and read the third time now, and was then read.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 29, nays none, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Carson, Curtiss, Dungan, Fisher, Grove, Irvine, Jackson of Clinton, Jackson of Perry, Joy, Krimmel, Lord, Marsh, McDonald, Owens, Parker, Richards, Sabine, Seitz, Sherrick, Stokes, Tyler, Wagener, Williams and Wilson—29.

So the bill passed. The title was agreed to.

Mr. Carson submitted the following report:

The standing committee on Finance, to whom was referred H. B. No. 863—To more fully secure the equal and just taxation of property—having had the same under consideration, report it back without recommendation.

J. M. CARSON,	JOHNSON SHERRICK,
J. C. FISHER,	H. W. CURTISS.
THOS. M. BEER,	

On motion of Mr. Sherrick, said bill was laid on the table.

Mr. Tyler moved that H. B. No. 1021 be taken from the table.

Which was agreed to.

Mr. Tyler moved that said bill be placed on the calendar for third reading to-morrow.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 14, nays 15, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Curtiss, Forrest, Jackson of Clinton, Jackson of Perry, Kelley, Marsh, Richards. Sabine, Sherrick, Tyler and Wilson—14.

Those who voted in the negative were—

Messrs. Benson, Carlisle, Carson, Dungan, Fisher, Irvine, Krimmel, Owens, Parker, Saltzgaber, Seitz, Steedman, Stokes, Wagener and Williams—15.

So the motion was disagreed to.

Mr. Seitz moved to amend said bill as follows:

In line 21, section 1, strike out the word "seven", and insert in lieu thereof the word "six".

Which was agreed to.

Mr. Seitz moved that said bill be engrossed and read the third time now.

Mr. Sherrick moved that the bill be laid on the table.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 20, nays 5, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Benson, Carlisle, Carson, Curtiss, Dungan, Fisher, Grove, Joy, Kelley, Krimmel, Marsh, McDonald, Seitz, Sherrick, Steedman, Tyler, Wagener, Williams and Wilson - 20.

Those who voted in the negative were—

Messrs. Beer, Forrest, Lord, Richards and Saltzgaber - 5.

So the motion was agreed to.

Mr. Steedman offered the following joint resolution :

S. J. R. No. 98: *Resolved by the General Assembly of the State of Ohio*, That the agent or commissioner heretofore appointed by the present Governor of Ohio, July 17, 1878, be and he is hereby authorized to collect, and empowered to settle any and all claims now due to the State of Ohio from the General Government, including the 2 per cent. claim, the 5 per cent. claim, the swampland claims and the war claims. Provided, that all costs and expenses incurred in such collection shall be paid by the said commissioner; and said commissioner shall receive for such services a compensation not exceeding 25 per cent. of all amounts collected and paid into the Treasury of State, and shall not receive any pay or other compensation than as above stated. The term for which this appointment is made and to continue, is for three years from the passage of this joint resolution, unless a full settlement is made sooner.

On motion of Mr. Steedman, said joint resolution was referred to the committee on Military Affairs.

Mr. Benson submitted the following report:

The committee of Conference, to whom was referred the matters of difference between the two Houses on S. B. No. 358, having had the same under consideration, report it back, and recommend that the Senate concur in the House amendments.

JOHN H. BENSON,
J. M. CARSON,
D. D. BEEBE,

Committee on part of the Senate.

L. C. SAWYER,
H. HUME,
J. P. SMEAD,

Committee on part of the House.

The question being on agreeing to said report, the yeas and nays were taken, and resulted—yeas 25, nays 6, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carson, Curtiss, Dungan, Forrest, Irvine, Jackson of Clinton, Jackson of Perry, Joy, Kelley, Krimmel, Lord, McDonald, Parker, Richards, Sabine, Saltzgaber, Steedman, Tyler, Wagener, Williams and Wilson—25.

Those who voted in the negative were—

Messrs. Fisher, Grove, Marsh, Owens, Sherrick and Stokes—6.

So the report was agreed to.

Leave of absence was asked and obtained for Mr. Beer from to-day until Saturday next at noon.

Mr. Owens submitted the following report :

The committee of Conference, to whom was referred the matters of difference between the two Houses on Substitute for S. B. No. 225—To punish vagrancy—having had the same under consideration, report that they are unable to agree.

JAMES W. OWENS,
LYMAN J. JACKSON,
LINDSEY KELLEY,

Committee on part of the Senate.

I. B. WRIGHT,
S. S. BLOOM,
THOS. LEGGETT,

Committee on part of the House.

On motion of Mr. Owen, said Conference committee was discharged, and another committee was directed to be appointed.

The President appointed Messrs. Fisher, Wilson and Parker as such committee on part of the Senate.

Mr. Carson submitted the following report :

The standing committee on Common Schools and School Lands, to whom was referred H. B. No. 806—Supplementary to an act entitled an act to create a sub-school district in Seneca county, Ohio, to be called the Rockaway sub-school district—having had the same under consideration, report it back without recommendation.

J. M. CARSON, C. F. KRIMMEL,
R. G. RICHARDS, D. WAGENER.

Mr. Seitz moved that said bill be indefinitely postponed.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 10, nays 17, as follow :

Those who voted in the affirmative were—

Messrs. Benson, Carson, Dungan, Fisher, Irvine, Marsh, McDonald, Seitz, Sherrick and Stokes—10.

Those who voted in the negative were—

Messrs. Armstrong, Carlisle, Curtiss, Grove, Jackson of Perry, Joy, Kelley, Krimmel, Lord, Owens, Parker, Richards, Sabine, Steedman, Tyler, Wagener and Williams—17.

So the motion was disagreed to.

Said bill was then ordered to be engrossed and read the third time to-morrow.

On motion of Mr. Curtiss, the Senate adjourned.

Attest :

ALLEN O. MYERS, *Clerk.*

FRIDAY, June 13, 1879—10 O'CLOCK A.M.

The Senate met pursuant to adjournment.

The Journal was read and approved.

Mr. Curtiss presented the remonstrance of E. Dempcy and 420 other citizens of Cleveland, Cuyahoga county, against the passage of H. B. No. 1003, popularly known as the Scalpers' Bill.

Which was referred to the committee on Railroads, Telegraphs and Turnpikes.

Mr. Fisher submitted the following report:

The committee of Conference, to whom was referred the matters of difference between the two Houses on H. B. No. 1008, having had the same under consideration, recommend that the House concur upon subject-matters of difference to amendments Nos. 1, 3, 5, 7, 8 and 10.

That the Senate recede from Nos. 6 and 9.

That No. 2 be amended as follows: After the word "dollars", insert: "from which amount shall be paid to employes in Adjutant-general's department the following sums, viz.: William Allensworth, fifty-eight dollars; Edward McGill, forty-five dollars; Patrick McCarty, twenty-five dollars; Milton Turner, eleven dollars; Patrick Sullivan, ten dollars; Adam Gassolan, ten dollars; Patrick Kelley, ten dollars; Fred. Blenkner, Jr., ten dollars; Patrick Griffin, ten dollars; Louis K. Sands, thirteen dollars; James Fallen, eleven dollars; W. J. Creed, eleven dollars; Andrew Hennessy, twelve dollars; William Domigan, nine dollars; being the amounts said employes paid for discount of vouchers issued to them, there being no money in the treasury at the time from which such vouchers could be paid;" and as thus amended the House concur therein.

J. C. FISHER,
JAMES B. STEEDMAN,
H. W. CURTISS,

Committee on part of the Senate.

A. R. VAN CLEAF,
MILO G. DODDS,
P. HITCHCOCK,

Committee on part of the House.

The question being on agreeing to said report, the yeas and nays were ordered, taken, and resulted—yeas 8, nays 17, as follow:

Those who voted in the affirmative were—

Messrs. Curtiss, Johnston, Krimmel, Lord, Parker, Steedman, Wagener and Wilson—8.

Those who voted in the negative were—

Messrs. Armstrong, Beebe, Benson, Carlisle, Carson, Dungan, Joy, Kelley, Marsh, McDonald, Owens, Sabine, Saltzgaber, Seitz, Sherrick, Stokes and Tyler—17.

So the report was disagreed to.

Mr. Sherrick moved that a message be sent to the House, informing them of the action of the Senate on said report, and requesting the appointment of another committee of Conference.

Which was agreed to.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bill, in which the concurrence of the Senate is requested:

H. B. No. 997 Mr. Hart To provide for mode of revivor of actions in certain cases of deceased parties.

Attest:

L. A. BRUNNER, *Clerk.*

Said bill was read the first time.

Mr. Tyler moved that the constitutional rule, requiring bills to be read on three different days, be suspended, that H. B. No. 997 may be read the second time.

On which motion the yeas and nays were taken, and resulted—yeas 27, nays 1, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Carlisle, Curtiss, Dungan, Fisher, Forrest, Howland, Jackson of Perry, Johnston, Joy, Kelley, Krimmel, Lord, Marsh, McDonald, Parker, Richards, Sabine, Saltzgaber, Seitz, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—27.

Mr. Benson voted in the negative.

So the motion was agreed to, and the bill was read the second time, and referred to the committee on the Judiciary.

Substitute for H. B. No. 708—Mr. Sturgeon—Supplemental to sections one and two, of chapter four, of an act passed May 11, 1878, entitled an act to amend and revise the statutes relating to taxation, to be known as title thirteen, part one of the act to revise and consolidate the general statutes—was read the second time.

Mr. Steedman moved that the constitutional rule, requiring bills to be read on three different days, be suspended, that said H. B. No. 708 may be read the third time.

On which motion the yeas and nays were taken, and resulted—yeas 31, nays none, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Benson, Carlisle, Carson, Curtiss, Dungan, Fisher, Forrest, Howland, Jackson of Clinton, Jackson of Perry, Johnston, Joy, Kelley, Krimmel, Lord, Marsh, McDonald, Owens, Parker, Richards, Sabine, Saltzgaber, Seitz, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—31.

So the motion was agreed to, and said bill was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 28, nays none, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Benson, Carson, Curtiss, Dungan, Fisher, Forrest, Jackson of Clinton, Jackson of Perry, Johnston, Joy, Kelley, Krimmel, Lord, Marsh, McDonald, Owens, Parker, Richards, Sabine, Seitz, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—28.

So the bill passed. The title was agreed to.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has refused to concur in Senate amendments to—

H. B. No. 1042—Mr. Crosley—To amend sections three and four of an act to enable the Commissioners of Montgomery and Warren counties to purchase toll-roads, and to convert the same into free turnpike roads, passed May 10, 1878, (O. L., Vol. 75, p. 1150.)

Attest:

L. A. BRUNNER, *Clerk.*

Mr. Tyler moved that the Senate insist on its amendments to said bill, and request the appointment of a committee of Conference.

Which was agreed to.

H. B. No. 990—Mr. Covert—To amend the act of May 5, 1877, entitled an act to amend, revise and consolidate the statutes relating to crimes and offenses, and to repeal certain acts therein named, to be known as title one, crimes and offenses, part four of the act to revise and consolidate the general statutes of Ohio, (Vol. 74, O. L., p. 246)—was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 22, nays 1, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Carlisle, Carson, Curtiss, Dungan, Fisher, Jackson of Clinton, Jackson of Perry, Joy, Kelley, Lord, Marsh, McDonald, Owens, Richards, Sabine, Seitz, Tyler, Wagener, Williams and Wilson—22.

Mr. Benson voted in the negative.

So the bill passed. The title was agreed to.

H. B. No. 1079—Mr. Paine—For the relief of the poor in certain cases—was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted yeas 22, nays 1, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Carlisle, Curtiss, Dungan, Fisher, Forrest, Jackson of Clinton, Jackson of Perry, Johnston, Joy, Kelley, Lord, McDonald, Owens, Richards, Sabine, Sherrick, Tyler, Wagener, Williams and Wilson—22.

Mr. Benson voted in the negative.

So the bill passed. The title was agreed to.

H. B. No. 618—Mr. Cowgill—To amend sections one and two of an act to provide for the erection of a monument to the memory of General Simon Kenton, passed May 1, 1854, (O. L., Vol. 52, p. 87)—was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 14, nays 11, as follow:

Those who voted in the affirmative were—

Messrs. Beebe, Curtiss, Jackson of Perry, Johnston, Kelley, Krimmel, Lord, McDonald, Owens, Richards, Sabine, Steedman, Tyler and Wilson—14.

Those who voted in the negative were—

Messrs. Benson, Carson, Fisher, Forrest, Howland, Jackson of Clinton, Parker, Saltzgaber, Seitz, Sherrick and Stokes—11.

So the bill, having failed to receive a constitutional majority, was lost.

H. B. No. 806—Mr. Norton—Supplementary to an act entitled an act to create a sub-school district in Seneca county, Ohio, to be called the Rockaway sub-school district—was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 8, nays 10, as follow:

Those who voted in the affirmative were—

Messrs. Beebe, Curtiss, Johnston, Joy, Kelley, Krimmel, Lord and Steedman—8.

Those who voted in the negative were—

Messrs. Benson, Carson, Fisher, Howland, Marsh, Owens, Saltzgaber, Seitz, Stokes and Wilson—10.

So the bill, having failed to receive a constitutional majority, was lost.

Mr. Wagener moved that H. B. No. 1021 be taken from the table.

Which was agreed to.

Said bill was read the third time.

Mr. Wagener moved to refer the bill to a select committee of one, with instructions to amend as follows :

Strike out in lines 46 and 47, section 1, and in line 1, of section 2, the words "a majority," and insert the words "two-thirds."

Which was agreed to, and Mr. Wagener was appointed such committee, and reported the bill back amended as instructed.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 20, nays 8, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Benson, Carlisle, Carson, Curtiss, Jackson of Clinton, Jackson of Perry, Marsh, McDonald, Owens, Parker, Richards, Sabine, Seitz, Steedman, Stokes, Tyler, Wagener and Williams—20.

Those who voted in the negative were—

Messrs. Fisher, Howland, Johnston, Joy, Kelley, Krimmel, Saltzgaber and Wilson—8.

So the bill passed. The title was agreed to.

Mr. Steedman submitted the following report:

The standing committee on Public Works and Public Lands, to whom was referred H. B. No. 421—To authorize the Board of Public Works to lower the culvert under the canal, near the village of Groveport, in Franklin county—having had the same under consideration, report it back, with the recommendation that it be passed.

JAMES B. STEEDMAN,	H. C. LORD,
LYMAN J. JACKSON,	G. A. GROVE,
G. M. SALTZGABER,	G. W. WILSON.

Said bill was ordered to be engrossed and read the third time now, and was then read.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 25, nays none, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Benson, Carlisle, Curtiss, Dungan, Fisher, Jackson of Clinton, Jackson of Perry, Johnston, Joy, Kelley, Krimmel, Lord, Marsh, Owens, Parker, Sabine, Seitz, Sherrick, Steedman, Stokes, Tyler, Wagener and Williams—25.

So the bill passed. The title was agreed to.

Mr. Dungan submitted the following report :

The standing committee on Universities, Colleges and Academies, to whom was referred S. B. No. 386—To authorize the purchase of the Klip-part library having had the same under consideration, report it back, and recommend its passage.

IRVINE DUNGAN,	B. W. CARLISLE,
WM. H. STOKES,	G. W. WILSON,
H. W. CURTISS,	JOHN IRVINE.

Said bill was ordered to be engrossed and read the third time now, and was then read.

Mr. Sherrick moved to refer the bill to a select committee of one, with instructions to amend as follows :

Add after the word "Ohio," in line 6: "and for the use of the Wooster University, at Wooster, Ohio."

On which motion the yeas and nays were taken, and resulted—yeas 7, nays 19, as follow :

Those who voted in the affirmative were—

Messrs. Carson, Howland, Joy, Marsh, Seitz, Sherrick and Steedman—7.

Those who voted in the negative were—

Messrs. Armstrong, Beebe, Benson, Carlisle, Curtiss, Dungan, Fisher, Forrest, Jackson of Clinton, Johnston, Kelley, Lord, McDonald, Richards, Sabine, Stokes, Tyler, Williams and Wilson—19.

So the motion was disagreed to.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 14, nays 11, as follow :

Those who voted in the affirmative were—

Messrs. Beebe, Benson, Carlisle, Curtiss, Fisher, Johnston, Kelley, Lord, Richards, Sabine, Stokes, Wagener, Williams and Wilson—14.

Those who voted in the negative were—

Messrs. Armstrong, Carson, Dungan, Forrest, Howland, Joy, McDonald, Parker, Seitz, Sherrick, and Steedman—11.

So the bill, having failed to receive a constitutional majority, was lost.

Mr. Jackson of Perry submitted the following report :

The standing committee on Judiciary, to whom was referred H. B. No. 997—Providing for mode of revivor in certain cases of deceased parties—having had the same under consideration, report it back, and recommend its passage.

W. T. FORREST,	G. M. SALTZGABER,
IRVINE DUNGAN,	LYMAN J. JACKSON,
D. WAGENER,	J. R. JOHNSTON.

Said bill was ordered to be engrossed and read the third time tomorrow.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The House of Representatives has discharged its first committee of Conference on—

S. B. No. 225—Mr. Jackson of Perry. To punish vagrancy, and to repeal a section of a certain act, (O. L., Vol. 74, pp. 277-278)—and has appointed Messrs. Hart, Trovinger and Oglevee on the part of the House to consider the differences existing between the two Houses on said bill.

Attest :

L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The House of Representatives accedes to the request of the Senate, and has appointed Messrs. Crosley, Bohl and Wales a committee of Conference on the part of the House, to consider the differences existing between the two Houses on H. B. No. 1042, by Mr. Crosley.

Attest :

L. A. BRUNNER, *Clerk.*

The President appointed Messrs. Stokes, Grove and Kelley as Conference committee on said bill on part of the Senate.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The House of Representatives accedes to the request of the Senate, and has appointed Messrs. Alexander, Booth and Perkins a second committee of Conference to consider the differences existing between the two Houses on H. B. No. 1008, by Mr. Levering.

Attest :

L. A. BRUNNER, *Clerk.*

The President appointed Messrs. Seitz, Marsh and Wilson as a Conference committee on said bill on part of the Senate.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The House of Representatives has passed the following bills, in which the concurrence of the Senate is requested :

H. B. No. 1020—Mr. Wright—Supplementary to chapter three, division nine, title twelve of the act to revise and consolidate the general statutes of Ohio, (75, O. L., p. 161.)

H. B. No. 915—Mr. Hayman—To prevent fraud in the manufacture and sale of commercial fertilizers.

Attest :

L. A. BRUNNER, *Clerk.*

Said bills were read the first time.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The House of Representatives has concurred in the passage of the following bills :

S. B. No. 370 Mr. Steedman—To provide for the determination of the boundaries of the bed of the part of the Miami and Erie canal which has been abandoned and conveyed to the city of Toledo.

S. B. No. 376—Mr. Tyler—To authorize the Council of the village of Milford, Clermont county, Ohio, to procure a prison.

S. B. No. 385—Mr. Forrest—To authorize the village of Avondale, Hamilton county, Ohio, to borrow money to build a town-hall.

Attest :

L. A. BRUNNER, *Clerk.*

Mr. Krimmel submitted the following report :

The joint committee on Enrollment has examined, and found correctly enrolled, the following bills :

S. B. No. 376—An act to authorize the Council of the village of Milford, Clermont county, Ohio, to procure a jail.

S. B. No. 385—An act to authorize the village of Avondale, Hamilton county, Ohio, to borrow money to build a town-hall.

H. B. No. 1078—To authorize the town Council of the incorporated village of Republic, Seneca county, Ohio, to transfer funds from one fund to another.

H. B. No. 1036—To authorize the Commissioners of Brown county to levy a tax to pay indebtedness of the county.

H. B. No. 1072—For the relief of Charles Koahn.

R. G. RICHARDS,	IRVINE DUNGAN,
J. W. WASHBURN,	C. F. KRIMMEL,
J. R. JOHNSTON,	DUNCAN DOW,
F. M. CARTER,	WM. JESSUP.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The Speaker of the House of Representatives has, in the presence of the House, signed the following bills:

H. B. No. 1072—Mr. Sawyer—For the relief of Charles Koahn.

H. B. No. 1078—Mr. Norton—To authorize the town Council of the incorporated village of Republic, Seneca county, Ohio, to transfer funds from one fund to another.

H. B. No. 1036—Mr. Parker—To authorize the Commissioners of Brown county to levy a tax to pay indebtedness of the county.

Attest:

L. A. BRUNNER, *Clerk.*

The President, in presence of the Senate, signed said bills.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has refused to concur in the passage of the following bill:

S. B. No. 322—Mr. Steedman—To amend section four of an act entitled an act defining the powers and prescribing the duties of the Board of Public Works, (Vol. 75, p. 584, Laws of 1878).

Attest:

L. A. BRUNNER, *Clerk.*

Mr. Jackson of Perry moved that H. B. No. 944 be taken from the table. Which was agreed to.

On motion of Mr. Seitz, the Senate took a recess.

THREE O'CLOCK P.M.

When the Senate took a recess, it had under consideration H. B. No. 944. Said bill was read the third time.

Mr. Carson moved to refer the bill to a select committee of one, with instructions to amend as follows:

Section 18, line 1, after the word "shall", insert the following: "on the nomination by the superintendent."

Which was agreed to, and Mr. Carson was appointed such committee, and reported the bill back amended as instructed.

Mr. Sherrick moved that said bill be laid on the table.

Which was agreed to.

Mr. Sherrick moved that H. B. No. 1065 be taken from the table.

Which was agreed to.

Said bill was read the third time.

Mr. Johnston moved to refer the bill to a select committee of one, with instructions to amend as follows:

In line 8, of section 1, strike out the word "three," and insert "four."

On which motion the yeas and nays were demanded, taken, and resulted—yeas 11, nays 15, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Curtiss, Forrest, Howland, Johnston, Lord, McDonald, Richards, Steedman and Wilson—11.

Those who voted in the negative were—

Messrs. Benson, Carlisle, Carson, Dungan, Fisher, Joy, Marsh, Owens, Parker, Saltzgaber, Seitz, Sherrick, Stokes, Tyler and Wagener—15.

So the motion was disagreed to.

Mr. Johnston moved to refer the bill to a select committee of one, with instructions to amend as follows:

After the words "Commissioner of Railroads and Telegraphs", in section 1, strike out "two thousand," and insert: "fifteen hundred."

On which motion the yeas and nays were demanded, taken, and resulted—yeas 8, nays 14, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Curtiss, Fisher, Johnston, Lord, Richards, Saltzgaber and Sherrick—8.

Those who voted in the negative were—

Messrs. Beebe, Benson, Carlisle, Carson, Dungan, Howland, Joy, Marsh, Parker, Seitz, Stokes, Tyler, Wagener and Wilson—14.

So the motion was disagreed to:

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 21, nays 5, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Carlisle, Carson, Dungan, Fisher, Forrest, Howland, Johnston, Joy, Marsh, McDonald, Owens, Parker, Richards, Saltzgaber, Seitz, Sherrick, Steedman, Stokes, Tyler and Wagener—21.

Those who voted in the negative were—

Messrs. Beebe, Benson, Curtiss, Lord and Sabine 5.

So the bill passed. The title was agreed to.

Mr. Seitz submitted the following report:

The Conference committees of the two Houses, to whom was referred the matters of difference upon amended H. B. No. 1008, by Mr. Levering, making certain appropriations, having had the same under consideration, make the following report:

They recommend the House concur in Senate amendments Nos. 4, 5, 7, 8 and 10.

They recommend the Senate recede from amendments Nos. 1, 6 and 9.

They recommend that in section 1, line 21, strike out the word "eleven", and insert in lieu thereof the word "fifteen". (Senate amendment No. 2.)

They recommend that after line 47; the following be inserted: "for Legislature, contingent expenses, one thousand dollars". (Senate amendment No. 3.)

JOHN SEITZ,
THEO. MARSH,
GEO. W. WILSON,
Committee on part of the Senate.
ROSS J. ALEXANDER,
E. S. PERKINS,
Committee on part of the House.

The question being on agreeing to said report, the yeas and nays were taken, and resulted—yeas 24, nays none, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Benson, Carlisle, Carson, Curtiss, Dungan, Forrest, Howland, Johnston, Joy, Lord, Marsh, McDonald, Owens, Parker, Richards, Sabine, Seitz, Sherrick, Steedman, Stokes, Tyler and Wagener—24.

So said report was agreed to.

Mr. Steedman submitted the following report:

The standing committee on Public Works, to whom was referred H. B. No. 625—Supplementary to an act entitled an act defining the powers and duties of the Board of Public Works, passed May 14, 1878—having had the same under consideration, report it back, with the following amendment, and recommend its passage when so amended:

At end of section 5, add: “and the board of public works are hereby authorized to increase or diminish the rates of toll as fixed by the law of 1858, when the boat travels or freight is carried less than fifty miles, on any of the canals of the state.”

JAMES B. STEEDMAN,	G. M. SALTZGABER,
W. P. HOWLAND,	H. C. LORD,
LYMAN J. JACKSON,	G. W. WILSON.

Said amendment was agreed to, and the bill was ordered to be engrossed and read the third time now, and was then read.

Mr. Marsh moved to refer the bill to a select committee of one, with instructions to amend as follows:

Strike out in section 3, line 11, the words “twenty-five dollars,” and insert: “five dollars.”

On which motion the yeas and nays were demanded, taken, and resulted—yeas 4, nays 21, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Marsh, Saltzgaber and Stokes—4.

Those who voted in the negative were—

Messrs. Beebe, Benson, Carlisle, Carson, Curtiss, Dungan, Fisher, Forrest, Howland, Johnston, Joy, Kelley, Lord, McDonald, Owens, Sabine, Seitz, Steedman, Tyler, Wagener and Wilson—21.

So the motion was disagreed to.

The question being “Shall the bill pass?” the yeas and nays were taken, and resulted—yeas 20, nays 3, as follow:

Those who voted in the affirmative were—

Messrs. Beebe, Benson, Carlisle, Carson, Curtiss, Dungan, Fisher, Forrest, Howland, Johnston, Kelley, McDonald, Owens, Parker, Sabine, Seitz, Steedman, Tyler, Wagener and Wilson—20.

Those who voted in the negative were—

Messrs. Armstrong, Marsh and Stokes—3.

So the bill passed. The title was agreed to.

Mr. Carlisle submitted the following report:

The committee of Conference, to whom was referred S. J. R. No. 83, having had the same under consideration, report it back, with the following amendment:

In line 7, after the word “month,” insert the words “for two months

only ;” and strike out all of said resolution after the word “service.” in said line.

B. W. CARLISLE,
C. F. KRIMMEL,
J. R. JOHNSTON,

Committee on part of the Senate.

ROSS J. ALEXANDER,
DAVID BOYCE,
MILO G. DODDS,

Committee on part of the House.

The question being on agreeing to said report, the yeas and nays were taken, and resulted—yeas 19, nays 1, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Benson, Carlisle, Curtiss, Fisher, Johnston, Kelley, Marsh, McDonald, Owens, Parker, Sabine, Seitz, Stokes, Tyler, Wagener, Williams and Wilson—19.

Mr. Forrest voted in the negative.

So said report was agreed to.

Mr. Forrest submitted the following report :

The standing committee on Judiciary, to whom was referred Substitute for S. B. No. 365—To provide for printing and distributing the laws of the present session and the revised statutes, in permanent form, and to repeal an act therein named—having had the same under consideration, report it back, and recommend that the Senate do not concur in the House amendment, and ask for a committee of Conference.

W. T. FORREST,	LYMAN J. JACKSON,
G. M. SALTZGABER,	IRVINE DUNGAN,
W. P. HOWLAND,	J. R. JOHNSTON.
D. WAGENER,	

Said report was agreed to, and the President appointed Messrs. Forrest, Saltzgaber and Wilson as such Conference committee on part of the Senate.

Mr. Owens moved that H. B. No. 944 be taken from the table.

Which was agreed to.

Mr. Owens moved to refer the bill to a select committee of one, with instructions to amend as follows :

Strike out all of section 24. and at end of section 6 add: “and when the pupils are discharged, the trustees, through the superintendent, shall, so far as practicable, keep in communication with the pupils. to enable them to report to the Governor and General Assembly in regard to these children of the State.”

Which was agreed to, and Mr. Owens was appointed such committee, and reported the bill back amended as instructed.

The question being “Shall the bill pass?” the yeas and nays were taken, and resulted—yeas 22, nays none, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Benson, Carlisle, Carson, Curtiss, Dungan, Forrest, Jackson of Clinton, Joy, Kelley, Lord, Marsh, McDonald, Owens, Parker, Sabine, Steedman, Tyler, Wagener, Williams and Wilson—22.

So the bill passed. The title was agreed to.

On motion of Mr. Seitz, the Senate adjourned.

Attest:

ALLEN O. MYERS, *Clerk.*

SATURDAY, *June 14*, 1879—10 o'clock A.M.

The Senate met pursuant to adjournment.

Prayer by Rev. I. F. Stidham.

The Journal was read and approved.

Bills were read the second time and referred, as follows:

H. B. No. 1020—Mr. Wright—Supplementary to chapter three, division nine, title twelve of the act to revise and consolidate the general statutes of Ohio, (75, O. L., 161).

Committee on the Judiciary.

H. B. No. 915—Mr. Hayman—To prevent fraud in the manufacture and sale of commercial fertilizers.

Committee on Agriculture.

H. B. No. 997—Mr. Hart—Providing for mode of revivor of actions in certain cases of deceased parties—was read the third time.

Mr. Forrest moved that said bill be laid on the table.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 8, nays 13, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Benson, Carson, Fisher, Forrest, Parker, Seitz and Stokes—8.

Those who voted in the negative were—

Messrs. Beebe, Carlisle, Howland, Irvine, Jackson of Perry, Johnston, Kelley, Krimmel, Lord, McDonald, Owens, Richards and Sabine—13.

So the motion was disagreed to.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 16, nays 2, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Carlisle, Howland, Irvine, Jackson of Perry, Johnston, Kelley, Krimmel, Lord, Owens, Richards, Sabine, Steedman, Wagener and Williams—16.

Those who voted in the negative were—

Messrs. Benson and Forrest—2.

So the bill, having failed to receive a constitutional majority, was lost.

Mr. Johnston moved to take from the table H. B. No. 1003.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 6, nays 14, as follow :

Those who voted in the affirmative were—

Messrs. Benson, Carlisle, Johnston, Kelley, Krimmel and Richards—6.

Those who voted in the negative were—

Messrs. Armstrong, Carson, Fisher, Forrest, Howland, Irvine, Lord, McDonald, Parker, Sabine, Seitz, Stokes, Wagener and Williams—14.

So the motion was disagreed to.

Mr. Fisher submitted the following report.

The committee on Revision has examined, and found correctly engrossed, H. B. No. 944, and H. B. No. 625.

J. C. FISHER,
J. M. CARSON.

Leave of absence was asked and obtained for Mr. Tyler for to-day.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has concurred in the passage of the following bill:

S. B. No. 372—Mr. Grove—Supplementary to an act to provide for the protection of the canals of the State of Ohio, and the regulation thereof, passed March 28, 1840, (S. & C., 202)—with the following amendments, in which the concurrence of the Senate is requested.

Strike out all after the word "corporate", in line 1. section 13, down to and including the word "or", after the word "aforesaid", in line 5, section 13.

Amend the title by striking out "and for the collection of tolls".

Attest:

L. A. BRUNNER, *Clerk.*

On motion of Mr. Fisher, said bill and amendments were laid on the table.

Mr. Richards submitted the following report:

The joint committee on Enrollment has examined, and found correctly enrolled, the following bill:

S. B. No. 370 To provide for the boundaries of the bed of the part of the Miami and Erie canal which has been abandoned and conveyed to the city of Toledo.

R. G. RICHARDS,	F. M. CARTER,
IRVINE DUNGAN,	WM. JESSUP,
J. R. JOHNSTON,	DUNCAN DOW.
J. W. WASHBURN,	

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The Speaker of the House of Representatives has, in the presence of the House, signed the following bills:

S. B. No. 370 Mr. Steedman—To provide for the determination of the boundaries of the bed of the part of the Miami and Erie canal which has been abandoned and conveyed to the city of Toledo.

S. B. No. 376—Mr. Tyler—To authorize the Council of the village of Milford, Clermont county, Ohio, to procure a jail.

S. B. No. 385—Mr. Forrest—To authorize the village of Avondale, Hamilton county, Ohio, to borrow money to build a town-hall.

Attest:

L. A. BRUNNER, *Clerk.*

The President, in presence of the Senate, signed said bills.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has concurred in Senate amendments to—

H. B. No. 1021—Mr. Alexander To authorize certain incorporated villages to build railroads, and to lease or operate the same.

Attest:

L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The House of Representatives has agreed to the report of the committee of Conference on—

S. J. R. No. 83—Mr. Carlisle—Authorizing the Adjutant-general to employ a guard for State Arsenal.

H. B. No. 1008—Mr. Levering—Making appropriations for certain purposes for the fiscal year 1879, and the first quarter of the fiscal year 1880.

Attest :

L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The House of Representatives accedes to the request of the Senate, and has appointed Messrs. Booth, Oglevee and Washburn a committee of Conference on the part of the House, to consider the differences existing between the two Houses on—

House Substitute for Substitute for S. B. No. 365—Mr. Forrest—To provide for printing and distributing the laws of the present session and the revised statutes, in permanent form, and to repeal an act therein named.

Attest :

L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The House of Representatives has passed the following bills, in which the concurrence of the Senate is requested :

H. B. No. 584—Mr. Turner—To establish a Board of Fire Commissioners in cities of the second grade of the second class, who shall have the management and control of the Fire Department.

H. B. No. 1080—Mr. Bloom—To amend the act passed June 7, 1879, entitled an act to regulate the fees and compensation of county officers.

H. B. No. 1037—Mr. Klimper—For the relief of township and ward assessors and their assistants in Hamilton county, and to fix their compensation.

H. B. No. 835—Mr. Seifert—To create two separate election precincts in Bloom township, Fairfield county.

Attest :

L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The House of Representatives has concurred in Senate amendments Nos. 2, 3, 4 and 5, and has non-concurred in amendment No. 1 to—

H. B. No. 944—Mr. Sawyer—To amend an act passed May 13, 1878, entitled an act for the reorganization and better management of the Soldiers' and Sailors' Orphans' Home, located at Xenia, and to repeal certain sections therein named, (O. L., Vol. 75, p. 591.)

Attest :

L. A. BRUNNER, *Clerk.*

Mr. Seitz moved that the Senate insist upon its amendment, and ask for another committee of Conference.

On demand of Mr. Owens, a call of the Senate was had.

Twenty-four Senators answered to their names.

Messrs. Curtiss, Dungan, Grove, Jackson of Clinton, Joy, Marsh, Saltzgaber, Sherrick and Wilson were absent.

Mr. Johnston moved that the Sergeant-at-Arms be dispatched for absentees.

Which was agreed to.

Mr. Dungan having appeared within the bar of the Senate, and answered to his name—

Mr. Benson moved that further proceedings under the call be dispensed with.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 21, nays none, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Benson, Carlisle, Carson, Dungan, Fisher, Howland, Irvine, Johnston, Krimmel, Lord, McDonald, Owens, Parker, Richards, Sabine, Seitz, Steedman, Wagener and Williams—21.

So the motion was agreed to.

The question recurring on Mr. Seitz's motion—

Mr. Owens moved to amend said motion, that the Senate recede from said amendment.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 22, nays 3, as follow :

Those who voted in the affirmative were

Messrs. Armstrong, Beebe, Benson, Carlisle, Dungan, Forrest, Howland, Irvine, Jackson of Perry, Johnston, Kelley, Krimmel, Lord, McDonald, Owens, Parker, Richards, Sabine, Steedman, Stokes, Wagener and Williams—22.

Those who voted in the negative were—

Messrs. Carson, Fisher and Seitz - 3.

So the motion was agreed to, and the Senate receded from said amendment No. 1.

Mr. Steedman offered the following joint resolution :

S. J. R. No. 99: *Resolved by the General Assembly of the State of Ohio,* That the Auditor of State, the President of the Board of Directors of the Ohio Penitentiary, and the Attorney-general shall have and are hereby given power to make such compromise or give such extension of time for the payment of any claim or judgment now due the State from contractors for labor in the Ohio Penitentiary, as in their opinion will subserve the best interests of State; and if an extension of time shall be given, they shall take such security for the payment of any such claim so due as may be necessary to secure the same.

The question being on the adoption of said resolution, the yeas and nays were taken, and resulted—yeas 20, nays 2, as follow :

Those who voted in the affirmative were—

Messrs. Beebe, Benson, Carlisle, Dungan, Fisher, Irvine, Jackson of Perry, Johnston, Kelley, Krimmel, McDonald, Owens, Parker, Richards, Sabine, Seitz, Steedman, Stokes. Wagener and Williams—20.

Messrs. Forrest and Howland voted in the negative.

So said joint resolution was adopted.

Mr. Krimmel submitted the following report :

The standing committee on Benevolent Institutions, to whom was re-

ferred the nomination of J. H. Wade, of Cleveland, to be Trustee of Cleveland Asylum for Insane—having had the same under consideration, report it back without recommendation

C. F. KRIMMEL,

B. W. CARLISLE,

D. D. BEEBE,

THEO. MARSH.

Mr. Seitz moved that said report be laid on the table.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 12, nays 6, as follow :

Those who voted in the affirmative were—

Messrs. Carlisle, Carson, Fisher, Forrest, Irvine, Johnston, Kelley, McDonald, Owens, Parker, Seitz and Williams—12.

Those who voted in the negative were—

Messrs. Beebe, Benson, Jackson of Perry, Krimmel, Lord and Steedman—6.

So the motion was agreed to.

Mr. Seitz moved that the Senate adjourn.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 12, nays 12, as follow :

Those who voted in the affirmative were—

Messrs. Beebe, Carson, Fisher, Forrest, Irvine, Kelley, McDonald, Saltzgaber, Seitz, Stokes, Wagener and Williams—12.

Those who voted in the negative were—

Messrs. Armstrong, Benson, Carlisle, Howland, Johnston, Krimmel, Lord, Owens, Parker, Richards, Sabine and Steedman—12.

So the motion was disagreed to.

Mr. Benson moved to reconsider the vote whereby S. B. No. 386 was lost.

Mr. Forrest moved to lay said motion on the table.

Which was agreed to.

Mr. Seitz moved that the Senate adjourn.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 14, nays 11, as follow :

Those who voted in the affirmative were—

Messrs. Beebe, Benson, Carson, Fisher, Forrest, Irvine, Kelley, Krimmel, McDonald, Parker, Saltzgaber, Seitz, Wagener and Williams—14.

Those who voted in the negative were—

Messrs. Armstrong, Carlisle, Howland, Jackson of Perry, Johnston, Lord, Owens, Richards, Sabine, Steedman and Stokes—11.

So the motion was agreed to, and the Senate adjourned.

Attest :

ALLEN O. MYERS, *Clerk.*

MONDAY, June 16, 1879—10 O'CLOCK A.M.

The Senate met pursuant to adjournment.

The Journal was read and approved.

Bills were read the second time and referred, as follows :

H. B. No. 584—Mr. Turner—To establish a Board of Fire Commissioners in cities of the second grade of the second class, who shall have the management and control of the Fire Department.

Committee on Municipal Corporations.

H. B. No. 1037 – Mr. Klimper—For the relief of township and ward assessors and their assistants in Hamilton county, and to fix their compensation.

Select committee of four—the Senators from Hamilton county.

H. B. No. 835 – Mr. Seifert—To create two separate election precincts in Bloom township, Fairfield county,

Committee on Corporations other than Municipal.

H. B. No. 1080—Mr. Bloom – To amend the act passed June 7, 1879, entitled an act to regulate the fees and compensation of county auditors, probate judges, clerks of court, sheriffs, coroners, treasurers and recorders.

By unanimous consent, the constitutional rule, requiring bills to be read on three different days, was suspended, and said H. B. No. 1080 was read the third time.

The question being “Shall the bill pass?” the yeas and nays were taken, and resulted – yeas 21, nays none, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Carson, Dungan, Fisher, Forrest, Howland, Jackson of Perry, Johnston, Krimmel, Lord, McDonald, Owens, Parker, Saltzgaber, Seitz, Wagener and Williams—21.

So the bill passed. The title was agreed to.

Mr. Johnston moved that the rules be suspended, that H. B. No. 1003 might be taken from the table.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 5, nays 11, as follow :

Those who voted in the affirmative were—

Messrs. Beebe, Benson, Johnston, Parker and Wilson—5.

Those who voted in the negative were—

Messrs. Armstrong, Beer, Carlisle, Dungan, Fisher, Jackson of Perry, Krimmel, McDonald, Sabine, Saltzgaber and Wagener—11.

So the motion was disagreed to.

Leave of absence was asked and obtained for Mr. Richards until Wednesday next.

On motion of Mr. Forrest, the Senate took a recess.

THREE O'CLOCK P.M.

Mr. Parker submitted the following report :

The standing committee on Library, to whom was referred H. J. R. No. 96, having had the same under consideration, report it back, with the following amendment, and recommend its passage when so amended :

Strike out the word “officers,” and insert the words “chief officer.”

C. S. PARKER,
JAMES W. OWENS,
J. R. JOHNSTON.

Said report was agreed to.

The question being on the adoption of said resolution, the yeas and nays were taken, and resulted—yeas 20, nays 2, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Fisher, Grove, Howland, Jackson of Perry, Johnston, Kelley, Owens, Parker, Sabine, Saltzgaber, Steedman, Stokes, Tyler, Wagener and Wilson—20.

Tuesday, June 17, 1879.

Those who voted in the negative were—

Messrs. Carson and Fisher—2.

So the resolution was adopted.

Mr. Steedman moved that the vote whereby H. B. No. 997 was lost be reconsidered.

Which was agreed to.

On motion of Mr. Steedman, a message was directed to be sent to the House for the return of said bill.

Leave of absence was asked and obtained for Mr. Johnston until Thursday next.

MESSAGE FROM THE GOVERNOR.

THE STATE OF OHIO, EXECUTIVE DEPARTMENT,

COLUMBUS, 16th day of June, 1879.

To the Senate:

I have the honor to nominate, and by and with the advice and consent of the Senate, appoint John McSweeney, of Wooster, Wayne county, to be a Trustee of the Girls' Industrial Home, for the term of five years.

Very respectfully,

RICHARD M. BISHOP.

Said communication was referred to the committee on Reform Schools and Industrial School for Girls.

On motion of Mr. Steedman, the Senate adjourned.

Attest:

ALLEN O. MYERS, *Clerk.*

TUESDAY, June 17, 1879—10 O'CLOCK A.M.

The Senate met pursuant to adjournment.

Prayer by Rev. I. F. Stidham.

The Journal was read and approved.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bills, in which the concurrence of the Senate is requested:

H. B. No. 842—Mr. Alexander—To prevent officers from creating debts by or on behalf of the State.

H. B. No. 1073—Mr. Sullivan of Miami—To provide for the maintenance of the Children's Home in Miami county.

Attest:

L. A. BRUNNER, *Clerk.*

Said bills were read the first time.

Mr. Carson moved that the constitutional rule, requiring bills to be read on three different days, be suspended, that H. B. No. 1073 may be read the second and third time.

On which motion the yeas and nays were taken, and resulted—yeas 27, nays none, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Benson, Carlisle, Carson, Curtiss, Fisher, Forrest, Grove, Howland, Jackson of Clinton, Jackson of Perry, Joy, Kelley, Krimmel, Marsh, McDonald, Owens, Parker, Sabine, Seitz, Sherrick, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—27.

So the motion was agreed to, and said bill was read the second and third time.

The question being “Shall the bill pass?” the yeas and nays were taken, and resulted—yeas 25, nays none, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Benson, Carlisle, Carson, Curtiss, Fisher, Forrest, Grove, Howland, Jackson of Clinton, Jackson of Perry, Joy, Kelley, Krimmel, Marsh, McDonald, Parker, Sabine, Seitz, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—25.

So the bill passed. The title was agreed to.

Mr. Dungan submitted the following report:

The standing committee on Corporations other than Municipal, to whom was referred H. B. No. 835—To create two separate election precincts in Bloom township, Fairfield county—having had the same under consideration, report it back, with the recommendation that it be passed.

IRVINE DUNGAN, LYMAN J. JACKSON,
J. M. ARMSTRONG, J. R. JOHNSTON.
GEO. P. TYLER,

Said bill was ordered to be engrossed and read the third time now, and was then read.

The question being “Shall the bill pass?” the yeas and nays were taken, and resulted—yeas 24, nays none, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Carson, Curtiss, Grove, Jackson of Clinton, Jackson of Perry, Joy, Kelley, Krimmel, Lord, Marsh, McDonald, Owens, Parker, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—24.

So the bill passed. The title was agreed to.

Mr. Grove submitted the following report:

The committee of Conference, to whom was referred the matters of difference between the two Houses on H. B. No. 1042, having had the same under consideration, recommend that the House concur in the Senate amendment.

G. A. GROVE,
LINDSEY KELLEY,
W. H. STOKES,

Committee on part of the Senate.

T. M. WALES,
HENRY BOHL,

Committee on part of the House.

The following bill was introduced, and read the first time:

S. B. No. 390—Mr. Curtiss—To enable the Board of Equalization of Cuyahoga county to employ help for 1879.

Mr. Curtiss moved that the constitutional rule, requiring bills to be read on three different days, be suspended, that S. B. No. 390 may be read the second time.

On which motion the yeas and nays were taken, and resulted—yeas 28, nays none, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Carson, Curtiss, Fisher, Grove, Jackson of Clinton, Jackson of Perry, Joy, Kelley, Krimmel, Lord, Marsh, McDonald, Owens, Parker, Sabine, Seitz, Sherrick, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—28.

So the motion was agreed to, and the bill was read the second time.

Mr. Curtiss moved that the constitutional rule, requiring bills to be read on three different days, be suspended, that S. B. No. 90 may be read the third time.

On which motion the yeas and nays were taken, and resulted—yeas 29, nays none, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Carson, Curtiss, Fisher, Grove, Howland, Jackson of Clinton, Jackson of Perry, Joy, Kelley, Krimmel, Lord, Marsh, McDonald, Owens, Parker, Sabine, Seitz, Sherrick, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—29.

So the motion was agreed to, and the bill was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 28, nays none, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Carson, Curtiss, Fisher, Grove, Howland, Jackson of Clinton, Jackson of Perry, Joy, Kelley, Krimmel, Lord, Marsh, McDonald, Owens, Parker, Sabine, Sherrick, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—28.

So the bill passed. The title was agreed to.

Mr. Steedman submitted the following report :

The standing committee on Public Works, to whom was referred H. J. R. No. 133—Instructing the Board of Public Works to examine certain lands—having had the same under consideration, report it back, and recommend its adoption.

JAMES B. STEEDMAN, G. A. GROVE,
LYMAN J. JACKSON, G. W. WILSON.
W. P. HOWLAND,

The question being on the adoption of said joint resolution, the yeas and nays were taken, and resulted—yeas 21, nays 1, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Benson, Carlisle, Dungan, Grove, Howland, Jackson of Clinton, Jackson of Perry, Joy, Kelley, Krimmel, Lord, Marsh, McDonald, Owens, Parker, Steedman, Stokes, Wagener, Williams and Wilson—21.

Mr. Beer voted in the negative.

So the joint resolution was adopted.

Mr. Jackson of Perry submitted the following report :

The standing committee on Military Affairs, to whom was referred S. J. R. No. 98—To appoint an agent for the collection of claims in favor of the State of Ohio against the United States—having had the same under consideration, report it back, with the recommendation that the following be adopted as a substitute therefor :

Be it resolved by the General Assembly of the State of Ohio, That the Governor of said State is hereby authorized and directed to appoint, after the adoption of this resolution, an agent for and on behalf of said State, to settle

and collect all claims heretofore accruing in favor of said State against the United States, for services in which behalf the said agent shall be allowed twenty-five per cent. of the money claims so settled and paid into the Treasury of said State, and ten per cent. upon the amount in value of credits so settled upon the twentieth installment of said claims (being a war claim), and said percentages shall be in full of all claims of said agent for his services and expenses in that behalf; and said State of Ohio shall not be in any other way responsible for any services, expenses or costs, nor be held otherwise liable in any respect whatever.

LYMAN J. JACKSON, GEO. P. TYLER,
J. R. JOHNSTON, D. JOY.

The question being on the adoption of the substitute —

Mr. Wilson moved to amend said substitute by adding at the end thereof the following: "but such compensation shall not exceed twenty thousand dollars."

Mr. Forrest moved that said substitute and pending amendment be laid on the table.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 14, nays 13, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Carson, Fisher, Forrest, Marsh, McDonald, Parker, Sabine, Seitz and Wilson—14.

Those who voted in the negative were—

Messrs. Dungan, Grove, Howland, Irvine, Jackson of Perry, Joy, Kelley, Owens, Saltzgaber, Steedman, Stokes, Tyler and Wagener—13.

So the motion was agreed to.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The following bill has been introduced in the House of Representatives, and read the first time:

H. B. No. 1081—Mr. Bloom—To pay members of the Board of Equalization of the city of Mansfield.

Attest:

L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has concurred in Senate amendment to—

H. J. R. No. 96—Mr. Hitchcock—Authorizing the Librarian to extend privileges of State Library to officer of the United States Signal Station at Columbus, Ohio.

Attest:

L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has refused to agree to the report of the committee of Conference on—

Tuesday, June 17, 1879.

H. B. No. 1042—Mr. Crosley—To amend sections three and four of an act to enable the Commissioners of Montgomery and Warren counties to purchase toll-roads, and to convert the same into free turnpike roads, passed May 10, 1878, (O. L., Vol. 75, p. 1150.)

Attest:

L. A. BRUNNER, *Clerk*.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has adopted the following substitute for—

S. J. R. No. 72—Mr. Lord—As to payment of money for certain purpose to Mrs. Elizabeth Lytle Broadwell, of Mt. Vernon Ladies' Association—in which the concurrence of the Senate is requested.

Attest:

L. A. BRUNNER, *Clerk*.

Mr. Seitz moved that said substitute be laid on the table.

Which was disagreed to.

The question being on concurring in said substitute, the yeas and nays were taken, and resulted—yeas 23, nays 2, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Carlisle, Curtiss, Grove, Howland, Jackson of Perry, Joy, Kelley, Krimmel, Lord, Marsh, McDonald, Owens, Parker, Sabine, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—23.

Thos who voted in the negative were—

Messrs. Carson and Seitz—2.

So said substitute was concurred in.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has concurred in the passage of the following bill:

S. B. No. 389—Mr. Grove—To amend an act entitled an act to create two voting precincts in the township of Clay, Montgomery county, passed June 3, 1879.

Attest:

L. A. BRUNNER, *Clerk*.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bill in which the concurrence of the Senate is requested:

Substitute for H. B. No. 716—Mr. Danford—To amend section fourteen, of chapter nine, division one of an act entitled an act to amend, revise and consolidate the statutes relating to crimes and offenses, (74, pp. 269 and 281).

Attest:

L. A. BRUNNER, *Clerk*.

Said bill was read the first time.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has discharged the committee of Conference to whom was referred the matter of differences between the two Houses on S. B. No. 225, by Mr. Jackson of Perry.

Attest:

L. A. BRUNNER, *Clerk.*

Mr. Dungan submitted the following report:

The joint committee on Enrollment has examined, and found correctly enrolled, the following bills and joint resolution:

S. J. R. No. 83—Authorizing the Adjutant-general to employ a guard for State Arsenal.

S. B. No. 243—To define and suppress tramps.

S. B. No. 358—To amend section thirty-five of an act entitled an act to amend, revise and consolidate the statutes relating to crimes and offenses, passed April 10, 1878, (O. L., Vol. 75, p. 108.)

S. B. No. 313—To amend the act of May 11, 1878, entitled an act to revise and consolidate the laws relating to procedure before Justices of the Peace and Mayors, (74 Vol., 971.)

S. B. No. 363—To amend the act of May 14, 1878, entitled an act to amend, revise and consolidate the statutes relating to municipal corporations, to be known as title twelve, part one of the act to revise and consolidate the general statutes of Ohio, (75 Vol., pp. 161-394.)

S. B. No. 368—Amendatory to an act passed March 3, A. D. 1879, to change the time of holding a District Court in Logan county, in the first sub-division of the third district in Ohio.

S. B. No. 379—To authorize the Board of County Commissioners of Hamilton county to maintain, repair, protect and preserve Mitchell Avenue Tunnel from the bridge fund of said county, supplementary to an act to authorize the Board of County Commissioners of Hamilton county to extend Mitchell avenue under the Miami and Erie canal, and to levy a tax to defray the expense thereof, passed April 28, 1877, (Vol. 74, O. L., p. 484.)

H. B. No. 944—To amend an act passed May 13, 1878, entitled an act for the reorganization and better management of the Soldiers' and Sailors' Orphans' Home, located at Xenia, and to repeal certain sections therein named, (O. L., Vol. 75, p. 591.)

S. B. No. 389—To amend an act entitled an act to create two voting precincts in the township of Clay, Montgomery county, passed June 3, 1879.

Substitute for S. J. R. No. 72—As to payment of money for certain purpose to Mrs. Elizabeth Lytle Broadwell, of Mt. Vernon Ladies' Association.

H. B. No. 1021—To authorize certain incorporated villages to build railroads, and to lease or operate the same.

H. B. No. 990—To amend the act of May 5, 1877, entitled an act to amend, revise and consolidate the statutes relating to crimes and offenses, and to repeal certain acts therein named, to be known as title one, crimes and offenses, part four of the act to revise and consolidate the general statutes of Ohio, (Vol. 74, O. L., p. 246).

H. B. No. 708 Supplementary to sections one and two, of chapter four of an act passed May 11, 1878, entitled an act to amend and revise the

statutes relating to taxation, to be known as title thirteen, part one of the act to revise and consolidate the general statutes.

H. B. No. 421—To authorize the Board of Public Works to lower the culvert under the canal, near the village of Groveport, in Franklin county.

H. B. No. 1065—To reduce the salary of certain officers therein named.

H. B. No. 1079—For the relief of the poor in certain cases.

IRVINE DUNGAN,	WM. JESSUP,
C. F. KRIMMEL,	F. M. CARTER,
DUNCAN DOW,	E. S. PERKINS.
A. D. MARSH,	

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The Speaker of the House of Representatives has, in the presence of the House, signed the following bills and joint resolution:

S. B. No. 243—Mr. Owens—To define and suppress tramps.

S. B. No. 313—Mr. Forrest—To amend the act of May 11, 1878, entitled an act to revise and consolidate the laws relating to procedure before Justices of the Peace and Mayors, (74 Vol., p. 971).

S. B. No. 368—Mr. Sabine—Amendatory to an act passed March 3, A.D. 1879, to change the time of holding a District Court in Logan county, in the first sub-division of the third district in Ohio.

S. B. No. 358—Mr. Benson—To amend section thirty-five of an act entitled an act to amend, revise and consolidate the statutes relating to crimes and offenses, passed April 10, 1878, (O. L., Vol. 75, p. 108.)

S. J. R. No. 83—Mr. Carlisle—Authorizing the Adjutant-general to employ a guard for State Arsenal.

H. B. No. 1065—Mr. Bloom—To reduce the salary of certain officers therein named.

H. B. No. 1079—Mr. Paine—For the relief of the poor in certain cases.

H. B. No. 708—Mr. Sturgeon—Supplemental to sections one and two, of chapter four of an act passed May 11, 1878, entitled an act to amend and revise the statutes relating to taxation, to be known as title thirteen, part one of the act to revise and consolidate the general statutes.

H. B. No. 421—Mr. Booth—To authorize the Board of Public Works to lower the culvert under the canal, near the village of Groveport, in Franklin county.

S. B. No. 363—Mr. Tyler—To amend the act of May 14, 1878, entitled an act to amend, revise and consolidate the statutes relating to municipal corporations, to be known as title twelve, part one of the act to revise and consolidate the general statutes of Ohio, (75 Vol., 161-394).

S. B. No. 379—Mr. Lord—To authorize the Board of County Commissioners of Hamilton county to maintain, repair, protect, and preserve Mitchell Avenue Tunnel from the bridge fund of said county, supplementary to an act to authorize the Board of County Commissioners of Hamilton county to extend Mitchell avenue under the Miami and Erie canal, and to levy a tax to defray the expense thereof, passed April 28, 1877, (Vol. 74, O. L., p. 484).

H. B. No. 1021—Mr. Alexander—To authorize certain incorporated villages to build railroads, and to lease or operate the same.

H. B. No. 990—Mr. Covert—To amend the act of May 5, 1877, entitled an act to amend, revise and consolidate the statutes relating to crimes and offenses, and to repeal certain acts therein named, to be known as title one, crimes and offenses, part four of the act to revise and consolidate the general statutes of Ohio, (Vol. 74, O. L., p. 246.)

H. B. No. 944—Mr. Sawyer—To amend an act passed May 13, 1878, entitled an act for the reorganization and better management of the Soldiers' and Sailors' Orphans' Home, located at Xenia, and to repeal certain sections therein named, (O. L., Vol. 75, p. 591.)

Attest:

L. A. BRUNNER, *Clerk*.

The President, in presence of the Senate, signed said bills and joint resolution.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives accedes to the request of the Senate, and herewith returns—

H. B. No. 997—Mr. Hart—Providing for mode of revivor of actions in certain cases of deceased parties.

Attest:

L. A. BRUNNER, *Clerk*.

Mr. Benson moved that said bill be laid on the table.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 11, nays 19, as follow:

Those who voted in the affirmative were—

Messrs. Benson, Carlisle, Carson, Curtiss, Fisher, Forrest, McDonald, Saltzgaber, Seitz, Sherrick and Stokes—11.

Those who voted in the negative were—

Messrs. Armstrong, Beebe, Dungan, Grove, Howland, Irvine, Jackson of Clinton, Jackson of Perry, Kelley, Krimmel, Lord, Owens, Parker, Sabine, Steedman, Tyler, Wagener, Williams and Wilson—19.

So the motion was disagreed to.

Mr. Forrest moved that the Senate take a recess.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 13, nays 18, as follow:

Those who voted in the affirmative were—

Messrs. Benson, Carson, Dungan, Fisher, Forrest, Joy, Marsh, McDonald, Parker, Saltzgaber, Seitz, Sherrick and Stokes—13.

Those who voted in the negative were—

Messrs. Armstrong, Beebe, Beer, Carlisle, Curtiss, Grove, Howland, Irvine, Jackson of Clinton, Jackson of Perry, Kelley, Krimmel, Lord, Owens, Sabine, Steedman, Tyler and Wilson—18.

So the motion was disagreed to.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 8, nays 12, as follow:

Those who voted in the affirmative were—

Messrs. Beebe, Jackson of Perry, Krimmel, Lord, Owens, Sabine, Steedman and Wagener—8.

Those who voted in the negative were—

Messrs. Benson, Carlisle, Carson, Dungan, Fisher, Forrest, Marsh, McDonald, Saltzgaber, Seitz, Sherrick and Stokes—12.

So the bill, having failed to receive a constitutional majority, was lost.

Mr. Sherrick offered the following resolution:

S. R. No. 102: *Resolved*, That no bill of a general nature shall be entertained by the Senate, and all measures, which ought to go in the code shall be declared out of order by the President, except the bill to consolidate the laws, and Conference committee reports.

Mr. Carson moved that said resolution be laid on the table.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 17, nays 7, as follow:

Those who voted in the affirmative were—

Messrs. Beer, Benson, Carlisle, Carson, Curtiss, Dungan, Grove, Howland, Jackson of Clinton, Jackson of Perry, Kelley, Krimmel, Owens, Saltzgaber, Wagener, Williams and Wilson—17.

Those who voted in the negative were—

Messrs. Fisher, Lord, Marsh, McDonald, Parker, Seitz and Sherrick—7.

So the motion was agreed to.

Mr. Marsh moved that the Senate take a recess.

Mr. Carson moved to amend said motion by adding: “until 7½ o’clock P.M.”

On which motion the yeas and nays were demanded, taken, and resulted—yeas 9, nays 22, as follow:

Those who voted in the affirmative were—

Messrs. Benson, Carlisle, Carson, Dungan, Fisher, Joy, Marsh, McDonald and Seitz—9.

Those who voted in the negative were—

Messrs. Armstrong, Beer, Curtiss, Forrest, Grove, Howland, Irvine, Jackson of Clinton, Jackson of Perry, Kelley, Krimmel, Lord, Owens, Sabine, Saltzgaber, Sherrick, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—22.

So said amendment was disagreed to.

The motion to take a recess was then disagreed to.

Mr. Krimmel offered the following resolution:

S. R. No. 103: *Resolved*, That the Clerk of the Senate be allowed pay for three hundred days, at the rate allowed members and officers of the General Assembly by law, to complete the record of the Senate Journal of the present session; and that the President of the Senate is hereby directed to certify in favor of the Clerk for said allowance.

On motion of Mr. Krimmel, said resolution was referred to the committee on Claims.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bill, in which the concurrence of the Senate is requested:

H. B. No. 1081—Mr. Bloom—To pay members of the Board of Equalization of the city of Mansfield.

Attest:

L. A. BRUNNER, *Clerk*.

Said bill was read the first time.

Mr. Beer moved that the constitutional rule, requiring bills to be read on three different days, be suspended, that H. B. No. 1081 may be read the second time.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 28, nays 3, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Carson, Curtiss, Fisher, Forrest, Grove, Howland, Jackson of Clinton, Jackson of Perry, Kelley, Krimmel, Lord, Marsh, McDonald, Owens, Sabine, Saltzgaber, Seitz, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—28.

Those who voted in the negative were—

Messrs. Dungan, Irvine and Joy—3.

So the motion was agreed to, and the bill was read the second time, and referred to the committee on Finance.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The House of Representatives has concurred in the passage of the following bill :

S. B. No. 218—Mr. Armstrong—To make an appropriation towards teaching and support of children in schools for education of the deaf and dumb in Cincinnati—with the following amendments, in which the concurrence of the Senate is requested:

Strike out all after the enacting clause of section 1, and all of section 2, and insert: "that in consequence of the crowded condition of the Institution for the Education of the Deaf and Dumb, preventing the reception of many needing the advantages thereof, and the establishment by the Board of Education of the city of Cincinnati of schools for their education, there is hereby appropriated fourteen hundred dollars, to be paid upon the order and expended under the direction of said board, in payment of teachers for one year in schools for the education of the deaf and dumb heretofore established by it."

In line 9, after the word "board", strike out "in", and insert "towards"; and after "teachers", in same line, insert: "support of children".

To amend title by striking out after "to", in the first line, and insert: "make an appropriation towards teaching and support of children in schools for education of the deaf and dumb in Cincinnati."

Attest :

L. A. BRUNNER, *Clerk*.

The question being on concurring in said House amendments, the yeas and nays were ordered, taken, and resulted—yeas 19, nays 9, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Carlisle, Curtiss, Forrest, Grove, Jackson of Perry, Krimmel, Lord, Marsh, McDonald, Parker, Seitz, Steedman, Stokes, Tyler, Wagener and Williams—19.

Those who voted in the negative were—

Messrs. Carson, Dungan, Fisher, Howland, Irvine, Joy, Kelley, Sherrick and Wilson—9.

So the Senate concurred in said House amendments.

Mr. Fisher submitted the following report:

The committee of Conference, to whom was referred the matters of difference between the two Houses on S. B. No. 225, having had the same

under consideration, report that it is unable to agree, and asks to be discharged from the further consideration of the same.

J. C. FISHER,
C. S. PARKER,
G. W. WILSON,

Committee on part of the Senate.

ABEL HART,
J. F. OGLEVEE,
CURTIS TROVINGER,

Committee on part of the House.

Said report was agreed to.

Mr. Steedman moved that the report of the committee on the nomination of Mr. J. H. Wade, as Trustee of the Cleveland Asylum for the Insane, be taken from the table.

Which was agreed to.

The question being on advising and consenting to said appointment, the yeas and nays were ordered, taken, and resulted—yeas 12, nays 15, as follow :

Those who voted in the affirmative were —

Messrs. Armstrong, Carlisle, Carson, Fisher, Forrest, Irvine, Joy, McDonald, Parker, Saltzgaber, Stokes and Tyler—12.

Those who voted in the negative were—

Messrs. Beebe, Beer, Benson, Curtiss, Dungan, Jackson of Perry, Kelley, Krimmel, Lord, Marsh, Owens, Seitz, Sherrick, Steedman and Williams—15.

So the Senate refused to advise and consent to said appointment.

Mr. Kelley offered the following resolution :

S. R. No. 104: *Resolved*, That Charles Negley, First Assistant Sergeant-at-Arms, and F. A. Davis, Second Assistant Sergeant-at-Arms, be allowed the *per diem* of twenty days for extra services performed prior to the commencement of the present session, and for services to be performed after its adjournment; and the President of the Senate is hereby directed to certify in their favor for said *per diem*.

On motion of Mr. Forrest, said resolution was referred to the committee on Finance.

Mr. Forrest submitted the following report :

The committee of Conference, to whom was referred the matters of difference between the two Houses on House Substitute for S. B. No. 365, having had the same under consideration, recommend that the Senate concur therein with the following amendments, and that the House concur in the amendments :

1. In section 3, line 18 (engrossed bill), after the word "brochure," insert : "at a cost not to exceed thirty cents per copy."

2. Section 4, line 6, strike out the word "duplicate," and insert the words "one set of."

3. Section 8, line 3, after the word "binding," insert : "Except the temporary index, which he shall cause to be bound in brochure;" and after the word "volumes," in line 4, same section, insert the words "and index."

4. Section 6, line 5, strike out "at a price not to exceed two dollars per volume."

5. Section 3, line 24, strike out "1st," and insert "15th," where "1st" occurs.

6. Section 12, lines 3 and 4, strike out the following: "the repeal to take effect June fifteenth, eighteen hundred and seventy-nine"; and in lines 4 and 5 strike out the words "in lieu of said act."

7. Strike out section 11, and insert the following:

SEC. 11. The auditor of each county, upon the delivery by him to any officers of a copy of said volumes, shall take a receipt therefor, and the official character of the officer receiving the same shall be designated in said receipt; within twelve months after the auditor of a county receives the copies of said revised statutes complete, he shall transmit to the Secretary of State the said receipts and the copies of the statutes then undisposed of, and also then remit to the Secretary of State the sale price of all copies of said statutes not covered by said receipts and not returned as aforesaid to the Secretary of State. If, however, any copies have without the fault or negligence of the county auditor been lost or stolen from a reasonably safe depository, or have by fire or other casualty, without the fault of the auditor, been destroyed, the attorney-general, upon proof thereof submitted by the auditor within said twelve months, is authorized to certify the fact to the Secretary of State, who shall credit the auditor with the sale price of the same. The Secretary of State shall pay into the treasury all moneys coming into his hands from said auditors. The auditor of any county who fails, neglects, or refuses to do or perform any of his duties herein prescribed, shall forfeit and pay to the State not exceeding five hundred dollars, together with all damages, and the attorney-general, shall by civil action in behalf of the State, enforce the provisions of this section.

8. Insert after line 6, section 5, the words "furnishing the necessary quantity of strictly number one book paper, supersized and calendered, upon which said work shall be printed and for."

9. Strike out the following words in lines 8, 9 and 10, section 5: "and furnishing the necessary quantity of strictly number one book paper, supersized and calendered, upon which said work shall be printed."

10. After "samples", in line 12, section 5, insert the words "including ink."

11. In section 5, line 20, between the word "of" and "any", insert the words "the sum of two hundred dollars for each day's delay in the progress of the work, caused by his fault or negligence and."

12. In section 12, line 29, strike out "15th", and insert "18th"; and in same line, after "hundred", insert: "and ninety"; and in line 30, after "hundred", insert: "and seventy-two".

13. In section 12, line 31, after "printing", insert: "and binding".

14. In section 12, line 32, strike out "thirty", and insert "forty".

W. T. FORREST,
G. M. SALTZGABER,
G. W. WILSON,

Committee on part of the Senate.

H. J. BOOTH,
J. W. WASHBURN,
JOHN F. OGLEVEE,

Committee on part of the House.

Pending the consideration of which, on motion of Mr. Curtiss, the Senate took a recess.

THREE O'CLOCK P.M.

When the Senate took a recess, it had under consideration the report of the committee of Conference on House Substitute for S. B. No. 365.

On motion of Mr. Curtiss, said report was laid on the table.

Mr. Sherrick submitted the following report:

The standing committee on Finance, to whom was referred H. B. No. 1081—To pay members of the Board of Equalization of the city of Mansfield—having had the same under consideration, report it back, and recommend its passage.

H. C. LORD,	H. W. CURTISS,
J. C. FISHER,	J. M. CARSON,
THOS. M. BEER,	J. SHERRICK.
JOHN SEITZ,	

Said bill was ordered to be engrossed and read the third time to-morrow.

Mr. Stokes submitted the following report:

The standing committee on Agriculture, to whom was referred H. B. No. 915—To prevent fraud in the manufacture and sale of commercial fertilizers—having had the same under consideration, report it back without recommendation.

W. H. STOKES,	B. W. CARLISLE,
J. B. WILLIAMS,	J. M. CARSON,
JOHN H. BENSON,	H. SABINE.
THOS. S. JACKSON,	

On motion of Mr. Fisher, said bill was laid on the table.

Mr. Grove moved to take from the table S. B. No. 372.

Which was agreed to.

The question being on concurring in House amendments to said bill, the yeas and nays were taken, and resulted—yeas 20, nays 2, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Beer, Benson, Carlisle, Fisher, Forrest, Grove, Jackson of Clinton, Jackson of Perry, Kelley, Lord, Marsh, McDonald, Owens, Parker, Sherrick, Stokes, Tyler, Wagener and Williams—20.

Messrs. Dungan and Irvine voted in the negative.

So the Senate concurred in said House amendments.

Mr. Saltzgaber moved to take from the table H. B. No. 956.

Which was agreed to.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 14, nays 12, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Carson, Forrest, Grove, Irvine, Jackson of Perry, Krimmel, Lord, Marsh, Parker, Saltzgaber, Stokes, Tyler and Wagener—14.

Those who voted in the negative were—

Messrs. Beebe, Beer, Benson, Carlisle, Curtiss, Dungan, Fisher, Kelley, McDonald, Seitz, Sherrick and Williams—12.

So the bill, having failed to receive a constitutional majority, was lost.

Mr. Armstrong submitted the following report:

The select committee of four Senators from Hamilton county, to whom was referred H. B. No. 1037—For the relief of township and ward assessors

and their assistants in Hamilton county, and to fix their compensation—having had the same under consideration, report it back, with the recommendation that it be amended so as to strike out the word “three”, and insert: “two and one-half”, on line 9, of section 1, and when so amended that the bill pass.

J. M. ARMSTRONG,
W. T. FORREST,
H. C. LORD.

The question being on agreeing to the amendment, the yeas and nays were demanded, taken, and resulted—yeas 14, nays 6, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Carlisle, Fisher, Forrest, Grove, Howland, Jackson of Perry, Krimmel, Lord, Parker, Richards, Stokes, Wagener and Williams—14.

Those who voted in the negative were—

Messrs. Beer, Benson, Kelley, Marsh, Owens and Seitz--6.

So said amendment was agreed to, and the bill was ordered to be engrossed and read the third time to-morrow.

On motion of Mr. Williams, the Senate adjourned.

Attest:

ALLEN O. MYERS, *Clerk.*

WEDNESDAY, *June* 18, 1879—10 o’CLOCK A.M.

The Senate met pursuant to adjournment.

Prayer by Rev. I. F. Stidham.

The Journal was read and approved.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has refused to agree to the report of the committee of Conference on House Substitute for Substitute for S. B. No. 365, by Mr. Forrest, and asks for the appointment of a second committee of Conference..

Attest:

L. A. BRUNNER, *Clerk.*

Upon motion, the request of the House was acceded to, and the President appointed Messrs. Forrest, Owens and Curtiss as such committee on part of the Senate.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bill, in which the concurrence of the Senate is requested:

H. B. No. 984—Mr. Wales—To exempt from taxation the benevolent fund of Indiana Yearly Meeting of Friends.

Attest:

L. A. BRUNNER, *Clerk.*

Said bill was read the first time.

Mr. Jackson of Clinton moved that the constitutional rule, requir-

ing bills to be read on three different days, be suspended, that H. B. No. 984 may be read the second time.

On which motion the yeas and nays were taken, and resulted—yeas 30, nays none, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Carson, Curtiss, Dungan, Fisher, Grove, Howland, Jackson of Clinton, Jackson of Perry, Joy, Kelley, Krimmel, Lord, Marsh, McDonald, Owens, Parker, Sabine, Seitz, Sherrick, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—30.

So the motion was agreed to, and the bill was read the second time, and referred to the committee on Finance.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has adopted the following joint resolution, in which the concurrence of the Senate is requested:

H. J. R. No. 121—Mr. Sturgeon—In relation to contract for keeping insane in Lucas County Insane Asylum.

Attest:

L. A. BRUNNER, *Clerk.*

On motion of Mr. Seitz, said joint resolution was referred to the committee on Benevolent Institutions.

Bills were read the second time and disposed of, as follows:

H. B. No. 842—Mr. Alexander—To prevent officers from creating debts by or on behalf of the State.

Committee on Finance.

Substitute for H. B. No. 716—Mr. Danford—To amend section fourteen, chapter nine, division one of an act entitled an act to amend, revise and consolidate the statutes relating to crimes and offenses, (74, O. L., pp. 269 and 281.)

Mr. Wilson moved that the constitutional rule, requiring bills to be read on three different days, be suspended, that Substitute for H. B. No. 716 may be read the third time.

Mr. Seitz moved that said bill be referred to the committee on the Judiciary.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 22, nays 7, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Benson, Carlisle, Carson, Dungan, Fisher, Forrest, Grove, Howland, Joy, Krimmel, Lord, Marsh, McDonald, Owens, Seitz, Sherrick, Steedman, Stokes, Tyler, Wagener and Williams—22.

Those who voted in the negative were—

Messrs. Beebe, Beer, Curtiss, Jackson of Clinton, Kelley, Sabine and Wilson—7.

So the motion was agreed to.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has reconsidered the vote by which it passed Substitute for H. B. No. 704, by Mr. Foster, and request that it be returned to the House.

Attest:

L. A. BRUNNER, *Clerk.*

On motion of Mr. Curtiss, the request of the House was acceded to.

Mr. Dungan submitted the following report:

The joint committee on Enrollment has examined, and found correctly enrolled, the following bills and joint resolutions:

H. B. No. 1008—Making appropriations for certain purposes for the fiscal year 1879, and the first quarter of the year 1880.

H. J. R. No. 133—Instructing the Board of Public Works to examine certain lands.

H. J. R. No. 96—Authorizing the Librarian to extend privileges of State Library to officer of U. S. Signal Station, at Columbus, Ohio.

H. B. No. 835—To create two separate election precincts in Bloom township, Fairfield county.

H. B. No. 1080—To amend the act passed June 7, 1879, entitled an act to regulate the fees and compensation of county auditors, probate judges, clerks of courts, sheriffs, coroners, treasurers and recorders.

H. B. No. 1073—To provide for the maintenance of the Children's Home, in Miami county.

IRVINE DUNGAN,	DUNCAN DOW,
C. F. KRIMMEL,	F. M. CARTER,
WM. JESSUP,	C. R. HARMON.
J. W. WASHBURN,	

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The Speaker of the House of Representatives has, in the presence of the House, signed the following bills and joint resolutions:

H. B. No. 1073—Mr. Sullivan of Miami—To provide for the maintenance of the Children's Home, in Miami county.

H. B. No. 1008—Mr. Levering—Making appropriations for certain purposes for the fiscal year 1879, and the first quarter of the year 1880.

H. J. R. No. 133—Mr. Haley—Instructing the Board of Public Works to examine certain lands.

H. B. No. 835—Mr. Seifert—To create two separate election precincts in Bloom township, Fairfield county.

H. B. No. 1080—Mr. Bloom—To amend the act passed June 7, 1879, entitled an act to regulate the fees and compensation of county auditors, probate judges, clerks of courts, sheriffs, coroners, treasurers and recorders.

H. J. R. No. 96—Mr. Hitchcock—Authorizing the Librarian to extend privileges of State Library to officer of U. S. Signal Station, at Columbus, Ohio.

S. B. No. 389—Mr. Grove—To amend an act entitled an act to create two voting precincts in the township of Clay, Montgomery county, passed June 3, 1879.

Substitute for S. J. R. No. 72—Mr. Lord—As to payment of money for certain purpose to Mrs. Elizabeth Lytle Broadwell, of Mt. Vernon Ladies' Association.

Attest:

L. A. BRUNNER, *Clerk.*

The President, in presence of the Senate, signed said bills and joint resolutions.

H. B. No. 1081—Mr. Bloom—To pay members of the Board of Equalization of the city of Mansfield—was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 26, nays none, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Carson, Curtiss, Fisher, Grove, Howland, Jackson of Clinton, Joy, Kelley, Krimmel, Lord, Marsh, McDonald, Owens, Seitz, Sherrick, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—26.

So the bill passed. The title was agreed to.

H. B. No. 1037—Mr. Klimper—For the relief of township and ward assessors and their assistants in Hamilton county, and to fix their compensation—was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 8, nays 13, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Curtiss, Dungan, Forrest, Grove, Jackson of Perry, Lord and Steedman—8.

Those who voted in the negative were—

Messrs. Benson, Fisher, Howland, Irvine, Krimmel, Marsh, McDonald, Owens, Sabine, Seitz, Sherrick, Stokes and Wilson—13.

So the bill, having failed to receive a constitutional majority, was lost.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The House of Representatives requests that a second committee of Conference be appointed to consider the differences between the two Houses on—

H. B. No. 1042—Mr. Crosley—To amend sections three and four of an act to enable the Commissioners of Montgomery and Warren counties to purchase toll-roads, and to convert the same into free turnpike roads, passed May 10, 1878, (O. L., Vol. 75, p. 1150).

Attest :

L. A. BRUNNER, *Clerk*.

Mr. Grove moved that the Senate accede to the request of the House.

Which was agreed to, and the President appointed Messrs. Tyler, Williams and Wilson as such committee on part of the Senate.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The House of Representatives has indefinitely postponed the following joint resolution :

S. J. R. No. 97—From committee on Public Works—Providing for an adjustment between the late lessees of the Public Works and the State of Ohio.

Attest :

L. A. BRUNNER, *Clerk*.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The House of Representatives has concurred in the passage of the following bill :

S. B. No. 390—Mr. Curtiss—To enable the Board of Equalization of Cuyahoga county to employ help for 1879.

Attest:

L. A. BRUNNER, *Clerk*.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has appointed Messrs. Turner, Poe and Herrick a second committee of Conference to consider the differences existing between the two Houses on H. B. No. 1042, by Mr. Crosley.

Attest:

L. A. BRUNNER, *Clerk*.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has appointed Messrs. Meuser, Estill and Covert a second committee of Conference to consider the differences existing between the two Houses on Substitute for S. B. No. 365, by Mr. Forrest.

Attest:

L. A. BRUNNER, *Clerk*.

Mr. Joy moved to take from the table S. J. R. No. 98.

Which was agreed to.

The question being on Mr. Wilson's amendment to said joint resolution, the yeas and nays were demanded, taken, and resulted—yeas 14, nays 14, as follow:

Those who voted in the affirmative were—

Messrs. Beebe, Beer, Benson, Carson, Fisher, Grove, Howland, Jackson of Clinton, Kelley, Parker, Sabine, Seitz, Sherrick and Wilson—14.

Those who voted in the negative were—

Messrs. Armstrong, Dungan, Forrest, Irvine, Jackson of Perry, Joy, Krimmel, Lord, Marsh, McDonald, Steedman, Stokes, Tyler and Wagener—14.

So the motion was disagreed to.

Mr. Wilson moved to strike out the words "twenty-five per cent.," and insert in lieu thereof the words "ten per cent."

On which motion the yeas and nays were demanded, taken, and resulted—yeas 12, nays 14, as follow:

Those who voted in the affirmative were—

Messrs. Beebe, Carson, Fisher, Grove, Howland, Jackson of Clinton, Kelley, McDonald, Sabine, Seitz, Sherrick and Wilson—12.

Those who voted in the negative were—

Messrs. Armstrong, Benson, Dungan, Forrest, Irvine, Jackson of Perry, Joy, Krimmel, Lord, Owens, Parker, Steedman, Tyler and Wagener—14.

So the motion was disagreed to.

Mr. Seitz moved to strike out "twenty-five per cent.," and insert: "twenty per cent."

Mr. Sabine moved to amend said motion by striking out "twenty," and inserting "fifteen."

On which motion the yeas and nays were demanded, taken, and resulted—yeas 13, nays 14, as follow:

Those who voted in the affirmative were—

Messrs. Beebe, Benson, Carson, Fisher, Grove, Howland, Jackson of Clinton, Kelley, Marsh, Sabine, Seitz, Sherrick and Wilson—13.

Those who voted in the negative were—

Messrs. Armstrong, Dungan, Forrest, Irvine, Jackson of Perry, Joy, Krimmel, Lord, McDonald, Owens, Parker, Steedman, Tyler and Wagener—14.

So the motion was disagreed to.

The question recurring on Mr. Seitz's motion to amend—

Mr. Sabine moved to amend the amendment by striking out "twenty," and inserting "eleven."

Mr. Sherrick demanded a division of the question.

The question being on striking out "twenty," the yeas and nays were demanded, taken, and resulted—yeas 12, nays 14, as follow :

Those who voted in the affirmative were—

Messrs. Beebe, Benson, Carson, Fisher, Grove, Howland, Irvine, Jackson of Clinton, Kelley, Sabine, Sherrick and Wilson—12.

Those who voted in the negative were—

Messrs. Armstrong, Dungan, Forrest, Jackson of Perry, Joy, Krimmel, Lord, Marsh, McDonald, Owens, Steedman, Tyler, Wagener and Williams—14.

So the motion to strike out was disagreed to.

The question then recurring on Mr. Seitz's motion to strike out and insert—

Mr. Sherrick demanded a division of the question.

The question being on striking out, the yeas and nays were demanded, taken, and resulted—yeas 25, nays 3, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Benson, Carson, Dungan, Fisher, Forrest, Grove, Howland, Irvine, Jackson of Clinton, Joy, Kelley, Lord, Marsh, Owens, Parker, Sabine, Seitz, Sherrick, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—25.

Those who voted in the negative were—

Messrs. Jackson of Perry, Krimmel and McDonald—3.

So the motion was agreed to.

The question then recurring on Mr. Seitz's motion to insert the words "twenty per cent.," the yeas and nays were demanded, taken, and resulted—yeas 21, nays 6, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Benson, Carson, Dungan, Forrest, Grove, Howland, Irvine, Jackson of Perry, Joy, Lord, Marsh, McDonald, Owens, Parker, Seitz, Steedman, Stokes, Tyler, Wagener and Williams—21.

Those who voted in the negative were—

Messrs. Beebe, Fisher, Kelley, Krimmel, Sabine and Wilson—6.

So the motion was agreed to.

The question then being on the adoption of the resolution—

Mr. Wilson moved to amend as follows :

At the end of the substitute, add: "but such compensation shall not exceed twenty-five thousand dollars."

On which motion the yeas and nays were demanded, taken, and resulted—yeas 12, nays 16, as follow :

Those who voted in the affirmative were—

Messrs. Beebe, Carson, Fisher, Grove, Howland, Irvine, Jackson of Clinton, Kelley, Sabine, Seitz, Williams and Wilson—12.

Those who voted in the negative were—

Messrs. Armstrong, Benson, Dungan, Forrest, Jackson of Perry, Joy, Krimmel, Lord, Marsh, Owens, Parker, Sherrick, Steedman, Stokes, Tyler and Wagener—16.

So the motion was disagreed to.

Mr. Seitz moved to amend as follows:

Add at the end of substitute: "but the compensation of such agent shall not exceed thirty thousand dollars."

On which motion the yeas and nays were demanded, taken, and resulted—yeas 17, nays 11, as follow:

Those who voted in the affirmative were —

Messrs. Beebe, Beer, Benson, Carson, Curtiss, Dungan, Fisher, Grove, Howland, Jackson of Clinton, Kelley, McDonald, Sabine, Seitz, Stokes, Williams and Wilson—17.

Those who voted in the negative were—

Messrs. Armstrong, Forrest, Irvine, Jackson of Perry, Joy, Krimmel, Lord, Owens, Steedman, Tyler and Wagener—11.

So the motion was agreed to.

The question recurring on the adoption of the joint resolution, the yeas and nays were ordered, taken, and resulted—yeas 19, nays 8, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Benson, Carson, Dungan, Forrest, Grove, Irvine, Jackson of Perry, Joy, Lord, Marsh, McDonald, Owens, Parker, Steedman, Stokes, Tyler, Wagener and Williams—19.

Those who voted in the negative were—

Messrs. Beebe, Beer, Fisher, Howland, Jackson of Clinton, Kelley, Sabine and Wilson—8.

So said joint resolution was adopted.

Mr. Grove submitted the following report:

The standing committee on Reform School and Industrial School for Girls, to whom was referred the appointment of John McSweeney, of Wooster, Wayne county, as a Trustee of the Industrial School for Girls, for the term of five years—having had the same under consideration, report it back, with the recommendation that the appointment be confirmed.

G. A. GROVE,	LYMAN J. JACKSON,
JOHN SEITZ,	B. W. CARLISLE,
THOS. M. BEER,	IRVINE DUNGAN.

The question being on advising and consenting to said appointment, the yeas and nays were taken, and resulted—yeas 27, nays none, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carson, Curtiss, Dungan, Fisher, Forrest, Grove, Howland, Irvine, Jackson of Clinton, Jackson of Perry, Kelley, Krimmel, Lord, Marsh, McDonald, Parker, Sabine, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—27.

So the Senate advised and consented to said appointment.

Mr. Sherrick submitted the following report:

The standing committee on Finance, to whom was referred S. R. No. 104, having had the same under consideration, report the following substitute, and recommend its adoption:

Resolved, That Chas. Negley, First Assistant Sergeant-at-Arms, and F.

A. Davis, Second Assistant Sergeant-at-Arms, be allowed for extra services rendered prior to the convening of this session, five days' *per diem* each; and also in addition to said *per diem*, for services to be rendered in taking care of the Senate Chamber and placing it in a proper condition after adjournment, forwarding mail to members, etc., five days' *per diem* each.

J. SHERRICK,
H. W. CURTISS,
JOHN SEITZ,

J. M. CARSON,
THOS. M. BEER.

Said substitute was agreed to.

The question being on the adoption of the resolution, the yeas and nays were ordered, taken, and resulted—yeas 25, nays none, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carson, Curtiss, Dungan, Grove, Howland, Irvine, Jackson of Clinton, Jackson of Perry, Kelley, Krimmel, Lord, Marsh, McDonald, Sabine, Sherrick, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—25.

So the resolution was adopted.

Mr. Krimmel submitted the following report:

The standing committee on Benevolent Institutions, to whom was referred H. J. R. No. 121—In relation to contract for keeping insane in Lucas County Insane Asylum—report it back, and recommend its adoption.

C. F. KRIMMEL, D. D. BEEBE,
H. W. CURTISS, G. P. TYLER.

The question being on the adoption of the joint resolution, the yeas and nays were ordered, taken, and resulted—yeas 27, nays none, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carson, Curtiss, Dungan, Grove, Howland, Irvine, Jackson of Clinton, Jackson of Perry, Kelley, Krimmel, Lord, Marsh, McDonald, Parker, Sabine, Seitz, Sherrick, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—27.

So the joint resolution was adopted.

On motion of Mr. Curtiss, the Senate adjourned.

Attest:

ALLEN O. MYERS, *Clerk*.

THURSDAY, June 19, 1879—10 o'clock A.M.

The Senate met pursuant to adjournment.

Prayer by Rev. R. G. Hutchins.

The Journal was read and approved.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has adopted the following joint resolution, in which the concurrence of the Senate is requested:

H. J. R. No. 136—Mr. White—Authorizing the Adjutant-general to make a certain appointment.

Attest:

L. A. BRUNNER, *Clerk*.

Mr. Richards moved that said joint resolution be referred to the committee on Federal Relations.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 19, nays 4, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carson, Curtiss, Fisher, Howland, Jackson of Clinton, Kelley, Lord, Marsh, McDonald, Richards, Sabine, Seitz, Stokes, Wagener and Williams—19.

Those who voted in the negative were—

Messrs. Grove, Jackson of Perry, Sherrick and Tyler—4.

So the motion was agreed to.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The following bills have been introduced in the House of Representatives, and read the first time :

H. B. No. 1082—By Finance committee—To aid in the construction of an embankment for a bridge over the Loramie Reservoir, in Shelby county.

H. B. No. 1083—Mr. Bloom To provide for printing and distributing the laws of the present session and the revised statutes in permanent form, and to repeal an act therein named.

H. B. No. 1084—Mr. Bohl—Appropriating money to pay a guard at the State Arsenal.

Attest :

L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The House of Representatives has refused to concur in the adoption of the following joint resolution :

S. J. R. No. 99—Mr. Steedman—Providing for a compromise in relation to a judgment due the State.

Attest :

L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The House of Representatives has passed the following bill, in which the concurrence of the Senate is requested :

H. B. No. 1082—By Finance committee—To aid in the construction of embankment for a bridge over the Loramie Reservoir, in Shelby county.

Attest :

L. A. BRUNNER, *Clerk.*

Said bill was read the first time.

Mr. Sherrick submitted the following report :

The standing committee on Finance, to whom was referred H. B. No. 984—To exempt from taxation the benevolent fund of Indiana Yearly Meeting of Friends—having had the same under consideration, report it back, with the recommendation that it be passed.

J. SHERRICK,

J. C. FISHER,

J. M. CARSON,

H. W. CURTISS,

THOS. M. BEEB.

Said bill was ordered to be engrossed and read the third time now, and was then read.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 21, nays none, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carson, Curtiss, Fisher, Grove, Howland, Jackson of Clinton, Lord, Marsh, McDonald Parker, Richards, Sabine, Seitz, Sherrick, Stokes, Tyler and Wagener—21.

So the bill passed. The title was agreed to.

Mr. Grove moved that H. B. No. 972 be taken from the table.

Which was agreed to.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 20, nays none, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Carson, Curtiss, Fisher, Grove, Jackson of Clinton, Jackson of Perry, Joy, Lord, Marsh, McDonald, Parker, Richards, Sabine, Tyler and Wagener—20.

So the bill passed. The title was agreed to.

Mr. Fisher moved that the vote whereby the appointment of J. H. Wade, as Trustee of the Cleveland Asylum for the Insane, was refused to be confirmed be reconsidered.

On motion of Mr. Seitz, said motion was laid on the table.

Mr. Marsh moved that the vote whereby H. B. No. 1037 was lost be reconsidered.

Which was agreed to.

On motion of Mr. Marsh, a message was directed to be sent to the House requesting the return of said bill.

Mr. Seitz moved that the Senate take a recess.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 5, nays 12, as follow :

Those who voted in the affirmative were—

Messrs. Benson, Curtiss, Fisher, Jackson of Clinton and Seitz—5.

Those who voted in the negative were—

Messrs. Armstrong, Beebe, Carson, Grove, Howland, Joy, Kelley, Lord, Parker, Sabine, Stokes and Tyler—12.

So the motion was disagreed to.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The House of Representatives accedes to the request of the Senate, and herewith returns—

H. B. No. 1037—Mr. Klimper—For the relief of township and ward assessors and their assistants in Hamilton county, and to fix their compensation.

Attest :

L. A. BRUNNER, *Clerk.*

The question being on the passage of said bill—

Mr. Marsh moved to refer the bill to a select committee of one, with instructions to amend as follows :

In line 4, section 1, after the word "county", strike out the word "since", and insert the word "on"; in line 5, same section, after the word "law", insert: "and paid"; in line 6, strike out "the", after the word "for", and insert the words "an additional"; lines 8, 9 and 10, strike out all except

the word "services", before which insert "and", and after the word "services", insert: "for the year 1878".

Which was agreed to, and Mr. Marsh was appointed such committee, and reported the bill back amended as instructed.

Mr. Benson moved to refer the bill to a select committee of one, with instructions to amend as follows:

Strike out "Hamilton county," and insert: "the State of Ohio."

Which was disagreed to.

Mr. Tyler moved to refer the bill to a select committee of one, with instructions to amend as follows:

Insert after "Hamilton county": "and Brown county."

Which was disagreed to.

Mr. Sabine moved to refer the bill to a select committee of one, with instructions to amend as follows:

Strike out "auditor of Hamilton county, in line 2, and insert: "auditors of all the counties of the State."

On which motion the yeas and nays were demanded, taken, and resulted—yeas 11, nays 14, as follow:

Those who voted in the affirmative were—

Messrs. Beebe, Beer, Benson, Carson, Curtiss, Jackson of Clinton, Kelley, Parker, Richards, Sabine and Tyler—11.

Those who voted in the negative were—

Messrs. Armstrong, Carlisle, Dungan, Fisher, Grove, Howland, Joy, Krimmel, Lord, Marsh, McDonald, Seitz, Stokes and Wagener—14.

So the motion was disagreed to.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 13, nays 12, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Carson, Curtiss, Forrest, Grove, Irvine, Krimmel, Lord, Marsh, McDonald, Parker, Tyler and Wagener—13.

Those who voted in the negative were—

Messrs. Beer, Benson, Fisher, Howland, Jackson of Clinton, Jackson of Perry, Joy, Kelley, Richards, Sabine, Seitz and Stokes—12.

So the bill, having failed to receive a constitutional majority, was lost.

On motion of Mr. Seitz, the Senate took a recess.

THREE O'CLOCK P.M.

Mr. Saltzgaber moved to reconsider the vote whereby H. B. No. 956 was lost.

Which was agreed to.

Mr. Saltzgaber moved that a message be sent to the House requesting the return of said bill.

Which was agreed to.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bill, in which the concurrence of the Senate is requested:

H. B. No. 1084—Mr. Bohl—Appropriating money to pay a guard at the State Arsenal.

Attest:

L. A. BRUNNER, *Clerk.*

Said bill was read the first time.

Mr. Dungan submitted the following report :

The joint committee on Enrollment has examined, and found correctly enrolled, the following bill and joint resolution:

H. J. R. No. 121—In relation to contract for keeping insane in Lucas County Insane Asylum.

H. B. No. 1081—To pay members of the Board of Equalization of the city of Mansfield.

IRVINE DUNGAN,	J. W. WASHBURN,
E. S. PERKINS,	WM. JESSUP,
DUNCAN DOW,	R. G. RICHARDS.
A. D. MARSH,	

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The House of Representatives has refused to agree to the report of the committee of Conference on House Substitute for Substitute for S. B. No. 365, by Mr. Forrest, and requests the appointment of a third committee of Conference.

Attest :

L. A. BRUNNER, *Clerk.*

Mr. Sherrick moved that the request of the House be acceded to.

Which was agreed to, and the President appointed Messrs. Jackson of Perry, Dungan and Richards as such third Conference committee on part of the Senate.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The House of Representatives has adopted the following joint resolution, in which the concurrence of the Senate is requested:

H. J. R. No. 114 - Mr. Booth—Authorizing the Commissioners of the Sinking Fund to release certain indebtedness.

Attest :

L. A. BRUNNER, *Clerk.*

On motion of Mr. Curtiss, said joint resolution was referred to the committee on Finance.

Mr. Benson moved that the Senate adjourn.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 13, nays 9, as follow :

Those who voted in the affirmative were—

Messrs. Beer, Benson, Curtiss, Howland, Irvine, Jackson of Clinton, Jackson of Perry, Joy, Kelley, Owens, Richards, Seitz and Williams—13.

Those who voted in the negative were—

Messrs. Carlisle, Dungan, Fisher, Grove, Parker, Saltzgaber, Sherrick, Stokes and Tyler—9.

So the motion was agreed to, and the Senate adjourned.

Attest :

ALLEN O. MYERS, *Clerk.*

FRIDAY, *June* 20, 1879—10 o'clock A.M.

The Senate met pursuant to adjournment.

Prayer by Rev. R. G. Hutchins.

The Journal was read and approved.

Mr. Sherrick moved that Senate Rule No. 36 be suspended, to enable the Senate to reconsider action on certain matters that took place more than two days since.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 19, nays 9, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Benson, Carson, Fisher, Forrest, Grove, Jackson of Perry, Joy, Krimmel, McDonald, Parker, Saltzgaber, Seitz, Sherrick, Steedman Stokes, Tyler, Wagener and Williams—19.

Those who voted in the negative were—

Messrs. Beebe, Beer, Curtiss, Howland, Kelley, Lord, Richards, Sabine and Wilson—9.

The President decided the motion agreed to, when his attention was called to Senate Rule No. 64, that the motion required a majority of two-thirds of those present.

Whereupon, the President directed a call of the Senate, and thirty-one Senators answered to their names.

So the motion was declared to be disagreed to, the President deciding that two-thirds of the Senators present did not vote in favor of said motion.

On demand of Mr. Sherrick, a call of the Senate was had.

Thirty-two Senators answered to their names.

Messrs. Carlisle, Dungan and Johnston were absent.

Mr. Curtiss moved that further proceedings under the call be dispensed with.

Which was disagreed to.

Mr. Carlisle, by unanimous consent, was granted leave of absence, on account of sickness.

Mr. Seitz moved that the Sergeant-at-Arms be dispatched for absentees.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 15, nays 12, as follow :

Those who voted in the affirmative were—

Messrs. Benson, Carson, Fisher, Grove, Joy, Marsh, McDonald, Saltzgaber, Seitz, Sherrick, Steedman, Stokes, Tyler, Wagener and Williams—15.

Those who voted in the negative were—

Messrs. Beebe, Beer, Curtiss, Forrest, Howland, Jackson of Clinton, Jackson of Perry, Kelley, Lord, Richards, Sabine and Wilson—12.

So the motion was agreed to.

Mr. Dungan having appeared within the bar of the Senate and answered to his name—

On motion of Mr. Seitz, further proceedings under the call were dispensed with.

Mr. Owens moved that Messrs. Dungan and Jackson of Perry be granted leave of absence to prepare a report of a Conference committee.

Which was agreed to.

Mr. Fisher moved that the vote whereby Mr. Sherrick's motion, to suspend Senate Rule No. 36, was lost, be reconsidered.

Which was agreed to.

The question recurring on Mr. Sherrick's motion to suspend Rule No. 36—

Mr. Jackson of Perry moved to lay said motion on the table.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 21, nays 10, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Curtiss, Forrest, Howland, Jackson of Clinton, Jackson of Perry, Joy, Kelley, Krimmel, Lord, Marsh, McDonald, Owens, Richards, Sabine, Saltzgaber, Stokes, Tyler and Wilson—21.

Those who voted in the negative were—

Messrs. Benson, Carson, Dungan, Fisher, Irvine, Parker, Seitz, Sherrick, Steedman and Wagener—10.

So the motion was agreed to.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The House of Representatives has appointed Messrs. Marsh, Bohl and Townsend a third committee of Conference on part of the House to consider the differences existing between the two Houses on House Substitute for Substitute for S. B. No. 365, by Mr. Forrest.

Attest :

L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The House of Representatives has refused to concur in the adoption of the following joint resolution :

Substitute for S. J. R. No. 98—Mr. Steedman—Relating to claims of the State of Ohio against the General Government.

Attest :

L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The House of Representatives has agreed to the report of the committee of Conference on—

House Substitute for Substitute for S. B. No. 365—Mr. Forrest—To provide for printing and distributing the laws of the present session and the revised statutes in permanent form, and to repeal an act therein named.

Attest :

L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The House of Representatives has refused to concur in the adoption of—

S. J. R. No. 99—Mr. Steedman—Providing for a compromise in relation to a judgment due the State.

Attest:

L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The Speaker of the House of Representatives has, in the presence of the House, signed the following bills and joint resolution:

H. B. No. 1081—Mr. Bloom—To pay members of the Board of Equalization of the city of Mansfield.

H. J. R. No. 121—Mr. Sturgeon—In relation to contract for keeping insane in Lucas County Insane Asylum.

H. B. No. 984—Mr. Wales—To exempt from taxation the benevolent fund of Indiana Yearly Meeting of Friends.

H. B. No. 972—Mr. Stubbs—To divide Harrison township, Preble county, Ohio, into two voting precincts.

Attest:

L. A. BRUNNER, *Clerk.*

The President, in presence of the Senate, signed said bills and joint resolution.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives requests the return of S. J. R. No. 99.

Attest:

L. A. BRUNNER, *Clerk.*

Mr. Curtiss moved that the Senate accede to said request.

Which was agreed to.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives accedes to the request of the Senate, and herewith returns—

An ended H. B. No. 956—Mr. Marsh—To provide for cleaning the channel of Big Beaver river, to secure an outlet for the waste-water from the Mercer County Reservoir, and advance the interest of the Public Works.

Attest:

L. A. BRUNNER, *Clerk.*

On motion of Mr. Saltzgaber, said bill was laid on the table.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has adopted the following joint resolution, in which the concurrence of the Senate is requested:

H. J. R. No. 6—Mr. Poe—Requesting Senators and Representatives in Congress from Ohio to use their official influence to restore the President's salary to \$25,000 per annum.

Attest:

L. A. BRUNNER, *Clerk.*

Mr. Owens moved that said joint resolution be referred to the committee on Federal Relations.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 23, nays 4, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Curtiss, Forrest, Grove, Howland, Jackson of Clinton, Jackson of Perry, Joy, Kelley, Marsh, McDonald, Owens, Richards, Sabine, Saltzgaber, Seitz, Steedman, Stokes, Tyler, Wagener and Wilson—23.

Those who voted in the negative were—

Messrs. Benson, Carson, Dungan and Fisher—4.

So the motion was agreed to.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The House of Representatives has adopted the following joint resolution, in which the concurrence of the Senate is requested :

H. J. R. No. 138—Mr. Cowgill—Adopting text-book for the use of the Ohio National Guard.

Attest :

L. A. BRUNNER, *Clerk.*

On motion of Mr. Forrest, said joint resolution was referred to the committee on Military Affairs.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The House of Representatives has passed the following bills, in which the concurrence of the Senate is requested :

H. B. No. 1076—Mr. Booth—To authorize the levy of an additional tax for the purpose of repairing and paying the debts of the Georgesville free turnpike, in Franklin county.

H. B. No. 1085—Mr. Brown of Putnam—Supplementary to the act of May 22, 1879, entitled an act making appropriations for the fiscal year 1879, and the first quarter of the fiscal year 1880, payable out of the revenue fund, (76 Vol., 99).

H. B. No. 1083—Mr. Bloom—To provide for printing and distributing the laws of the present session and the revised statutes in permanent form, and to repeal an act therein named.

Attest :

L. A. BRUNNER, *Clerk.*

Said bills were read the first time.

On motion of Mr. Seitz, the Senate took a recess.

THREE O'CLOCK P.M.

REPORT OF THE JOINT COMMITTEE ON CONSOLIDATED LAWS.

Mr. Forrest submitted the following report :

The Joint Committee on Consolidated Laws, to whom was referred House Bill No. 726, by Mr. Oglevee, H. B. No. 643, by Mr. Groschner, H. B. No. 610, by Mr. Van Cleaf, H. B. No. 639, by Mr. Clough, H. B. No.

674, by Mr. Sextro, H. B. No. 782, by Mr. Williams, H. B. No. 805, by Mr. Levering, H. B. No. 787, by Mr. Bloom, H. B. No. 895, by Mr. Dodds, H. B. No. 715, by Mr. Bohl, H. B. No. 837, by Mr. Swaim, H. B. No. 593, by Mr. Brown of Putnam, H. B. No. 119, by Mr. Swaim, H. B. No. 602, by Mr. Hume, S. B. No. 205, by Mr. Forrest, S. B. No. 216, by Mr. Owens, S. B. No. 256, by Mr. Dungan, S. B. No. 271, by Mr. Lord, S. B. No. 203, by Mr. Krimmel, S. B. No. 200, by Mr. Saltzgaber, and S. B. No. 308, by Mr. Forrest, recommend that H. B. No. 726, by Mr. Oglevee, be made Title I., Part 1, of S. B. No. 308; that H. B. No. 643, by Mr. Groschner, be made Title II., Part 1; that H. B. No. 610, by Mr. Van Cleaf, be made Title III., Part 1; that S. B. No. 205, by Mr. Forrest, be made Title IV., Part 1; that S. B. No. 216, by Mr. Owens, be made Title V., Part 1; that H. B. No. 639, by Mr. Clough, be made Title VI., Part 1; that H. B. No. 674, by Mr. Sextro, be made Title VII., Part 1; that S. B. No. 256, by Mr. Dungan, be made Title VIII., Part 1; that H. B. No. 782, by Mr. Williams, be made Title IX., Part 1; that H. B. No. 805, by Mr. Levering, be made Title X., Part 1; that H. B. No. 787, by Mr. Bloom, be made Title XI., Part 1; that H. B. No. 119, by Mr. Swaim, be made Title XIV., Part 1; that H. B. No. 895, by Mr. Dodds, be made Title XV., Part 1; that H. B. No. 715, by Mr. Bohl, be made Title I., Part 2; that S. B. No. 271, by Mr. Lord, be made Title II., Part 2; that S. B. No. 203, by Mr. Krimmel, be made Title III., Part 2; that S. B. No. 200, by Mr. Saltzgaber, be made Title IV., Part 2; that H. B. No. 837, by Mr. Swaim, be made Title V., Part 2; that H. B. No. 593, by Mr. Brown of Putnam, be made Title VI., Part 2, and that H. B. No. 602, by Mr. Hume, be made Title VII., Part 2, thereof.

The committee have, under the instructions of the General Assembly, prepared for insertion in the proper places in S. B. No. 308, the several general acts of the General Assembly passed at the present session, in the form indicated, and recommend their insertion, as amendments, as follows, to wit:

H. B. No. 14—Mr. Haley—Is section 4, chapter 3, title 1, part 3, page 606—civil code.

H. B. No. 621—Mr. Edwards—Follows at end of chapter 8, title 1, part 4, page 279—crimes and offenses.

H. B. No. 728—Mr. Foster—Is sections 15 and 16, chapter 8, title 3, part 2, page 46—schools.

H. B. No. 657—Mr. Marsh—Is section 30, chapter 8, title 1, part 4, page 272—crimes and offenses.

H. B. No. 951—Mr. Booth—Is section 13, chapter 2, title 12, part 1, page 206—municipal corporations.

H. B. No. 588—Mr. Wright—Is section 11, chapter 3, title 12, part 1, page 407—municipal corporations.

H. B. No. 198—Mr. Dodds—Is section 31, chapter 1, title 3, part 1, page 46—executive.

H. B. No. 736—Mr. Tyler—Is section 33, chapter 8, title 1, part 4, page 273—crimes and offenses.

H. B. No. 576—Mr. Ellis—Is section 26, chapter 8, title 1, part 4, page 271—crimes and offenses.

H. B. No. 357—Mr. Foster—Is section 14, chapter 7, title 2, part 3, page 959—probate code.

H. B. No. 549—Mr. Van Cleaf—After section 28, chapter 4, title 1, part 5, page 253—crimes and offenses.

H. B. No. 22—Mr. Dalzell - Is section 56, chapter 9, title 4, part 1, page 254—judicial.

H. B. No. 646—Mr. Wright—Is section 8, chapter 6, division 2, title 1, part 3, page 613—civil code. And also section 10, chapter 1, division 5, title 1, part 3, page 681—civil code.

H. B. No. 581—Mr. Norton—Is section 15, chapter 13, division 8, title 12, part 1, page 391—municipal corporations.

H. B. No. 601—Mr. Bohl—Is section 14, chapter 10, title 3, part 2, page 61—schools.

H. B. No. 592—Mr. Meuser - Is section 2, chapter 2, title 10, part 1, page 551—townships.

H. B. No. 616—Mr. Williams—Is section 6, chapter 4, division 7, title 12, part 1, page 315—municipal corporations.

H. B. No. 839—Mr. Hitchcock—Follows after section 46, chapter 2, title 11, part 1, page 595—township officers.

H. B. No. 710—Mr. Eylar—Follows after section 12, chapter 9, title 3, part 2, page 51—schools.

H. B. No. 653—Mr. Parker—After section 17, chapter 4, title 8, part 1, page 428—county officers.

H. B. No. 801—Mr. Sullivan of Miami—Is section 12, chapter 5, title 8, part 1, page 452—county officers.

H. B. No. 686—Mr. Haley—Follows after section 35, chapter 7, title 8, part 1, page 489—county officers. Also, after section 32, chapter 4, title 1, part 4, page 253—crimes and offenses.

H. B. No. 824—Mr. Foster—Is section 68, chapter 2, title 11, part 1, page 602—township officers.

H. B. No. 651—Mr. Bohl—Is section 16, chapter 8, division 8, title 12, part 1, page 373—municipal corporations.

H. B. No. 450—Mr. Greene—Follows at end of chapter 5, title 7, part 2, page 52½—public ways.

S. B. No. 265—Mr. Forrest—Is section 7, chapter 1, division 4, title 1, part 3, page 667—civil code.

S. B. No. 300—Mr. Johnston—Repeals sections 7, 8 and 9, chapter 1, title 4, part 3, page 805—civil code.

S. B. No. 192—Mr. Howland—Is section 18, chapter 2, title 8, part 1, page 405—county officers.

S. B. No. 231—Mr. Saltzgaber—Is section 18, chapter 6, title 8, part 1, page 475—county officers.

S. B. No. 55—Mr. Forrest—Follows after section 25, chapter 1, division 5, title 1, part 3, page 685—civil code.

S. B. No. 213—Mr. Owens—Is section 1, chapter 9, title 2, part 3, page 960—probate code.

S. B. No. 227—Mr. Marsh—Is section 1, chapter 1, title 13, part 1, page 436—taxation. And also, section 1, chapter 2, title 13, part 1, page 441—taxation.

S. B. No. 229—Mr. Owens—Is section 4, chapter 3, title 13, part 1, page 460—taxation.

S. B. No. 249—Mr. Dungan—Follows at end of chapter 5, title 2, part 2, page 113—corporations.

S. B. No. 264—Mr. Forrest—is section 5, chapter 2, division 3, title 12, part 1, page 192—municipal corporations.

S. B. No. 194—Mr. Williams—Is section 2, chapter 5, title 13, part 1, page 472—taxation.

S. B. No. 290—Mr. Owens—Is section 1, chapter 2, division 4, title 1 part 3, page 668—civil code.

S. B. No. 208—Mr. Sherrick—Is section 92, chapter 2, title 11, part 1, page 611—township officers.

S. B. No. 237—Mr. Beer—Is section 14, chapter 3, division 4, title 12, part 1, page 308—municipal corporations.

S. B. No. 307—Mr. Forrest—Follows at end of chapter 1, division 6, title 12, part 1, page 291—municipal corporations.

Township Officers: Add at the end of chapter 7, division 8, title 12, part 1, page 370, these three sections being amendments to the title on township officers, and transferred therefrom—municipal corporations.

S. B. No. 236—Mr. Richards—Is section 11, chapter 1, division 8, title 12, part 1, page 343—municipal corporations.

S. B. No. 241—Mr. Tyler—Is section 6, chapter 5, title 2, part 4, page 340—criminal procedure.

H. B. No. 699—Mr. Bohl—Is section 23, chapter 1, division 5, title 1, part 3, page 684—civil code.

H. B. No. 665—Mr. Sextro—Is section 43, chapter 4, division 7, title 12, part 1, page 322—municipal corporations.

H. B. No. 880—Mr. Leggett—Is section 14, chapter 9, title 2, part 3, page 961—probate code.

H. B. No. 912—Mr. Wright—Placed at the end of chapter 2, division 9, title 12, part 1, page 405—municipal corporations.

S. B. No. 328—Mr. Curtiss—Is section 2, chapter 4, title 13, part 1, page 467—taxation.

Substitute for S. B. No. 330—Mr. Lord—Chapter 2, division 7, title 12, part 1, page 300—municipal corporations. Also, section 1, chapter 1, division 7, title 12, part 1, page 297—municipal corporations. Also, section 145, chapter 4, division 7, title 12, part 1, page 340—municipal corporations. Also, section 2, chapter 1, division 8, title 12, part 1, page 341—municipal corporations. Also, section 1, chapter 7, division 8, title 12, part 1, page 361—municipal corporations. Also, section 14, chapter 12, division 8, title 12, part 1, page 387—municipal corporations.

H. B. No. 885—Mr. Van Cleaf—Is section 14, chapter 5, title 13, part 1, page 479—taxation.

H. B. No. 964—Mr. Reed of Ross—Is section 8, chapter 5, title 13, part 1, page 476—taxation.

H. B. No. 884—Mr. Perkins—Is section 150, chapter 2, title 2, part 3, page 890—probate code.

H. B. No. 681—Mr. Wright—Section 21, chapter 2, division 3, title 1, part 3, page 641—civil code.

House Substitute for S. B. No. 288—Mr. Forrest—The four sections thereof to follow section 45, chapter 3, title 9, part 1—compensation public officers.

H. B. No. 858—Mr. Hayman—Is in lieu of sections 17 and 18, chapter 8, title 3, part 2, page 47—schools.

S. B. No. 296—Mr. Jackson—Follows after section 18, chapter 11, division 8, title 12, page 382—municipal corporations.

S. B. No. 339—Mr. Curtiss—Is section 14, chapter 1, title 5, part 2, pages 6 and 7—police regulations.

H. B. No. 479—Mr. Poe—Follows after section 4, chapter 6, title 1, part 4, page 259—crimes and offenses.

H. B. No. 924—Mr. Oglevee—Is section 1, chapter 2, division 2, title 12, part 1, page 169—municipal corporations.

H. B. No. 662—Mr. Dalzell—Is section 5, chapter 1, title 2, part 3, page 839—probate code.

H. B. No. 833—Mr. Estill—Is section 211, chapter 2, title 2, part 3, page 903—probate code.

S. B. No. 206—Mr. Howland—Section 14, chapter 7, title 2, part 4, page 354—criminal procedure.

S. B. No. 221—Mr. Seitz—Follows at end of chapter 10, title 1, part 4, page 286—crimes and offenses. Also, follows at end of primary elections, chapter 10, title 1, part 4, page 284—crimes and offenses. Also, follows after section 14, chapter 4, title 2, part 4, page 336—criminal procedure.

H. B. No. 875—Mr. Wales—Is section 4, chapter 9, title 3, part 2, page 48—schools.

H. B. No. 1063—Mr. Bloom—Is section 2, chapter 11, title 3, part 1, page 131—executive. Also, section 27, chapter 11, title 3, part 1, page 143—executive.

H. B. No. 836—Mr. Booth—Is sections 12 and 13, chapter 4, division 7, title 12, part 1, page 316—municipal corporations.

H. B. No. 1030—Mr. Achauer—Is section 25, chapter 11, title 7, part 2, page 120—public ways.

S. B. No. 251—Mr. Saltzgaber—Is section 4, chapter 1, title 6, part 2, page 3—drainage.

H. B. No. 945—Mr. Turner—Follows after section 1, chapter 17, title 2, part 2, page 235—corporations.

H. B. No. 615—Mr. Paine—Is section 22, chapter 14, title 2, part 2, page 203—corporations.

Substitute for H. B. No. 566—Mr. Wright—Follows after new section following section 7, chapter 2, title 14, part 1, page 6—elections. Also, after section 2, chapter 2, title 14, part 1, page 5—elections. Also, after section 9, chapter 0, title 14, part 1, page 8.

S. B. No. 235—Mr. Howland—Follows section 11, chapter 11, title 2, part 2, page 159—corporations.

S. B. No. 336—Mr. Jackson of Clinton—Takes the place of section 20, chapter 5, title 7, part 2, page 45—public ways.

S. B. No. 340—Mr. Joy—Takes the place of section 10, chapter 6, division 2, title 1, part 3, page 613—civil code.

S. B. No. 293—Mr. Forrest—After section 55, chapter 1, division 5, title 1, part 3, page 691—civil code.

S. B. No. 367—Mr. Grove—Takes the place of section 32, chapter 2, title 11, part 1, page 589—officers of civil townships.

S. B. No. 313—Mr. Forrest—Is section 17, chapter 1, title 3, part 3, page 977—justices' code.

H. B. No. 952—Mr. Williams—Sections 1, 2, 3, 4, 5, 6, 7, 9, 10, 11 and 12, take the place of sections 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66 and 67, of chapter 4, title 8, part 1, pages 443-447—county officers. Also, sections 13, 14 and 15, take the place of sections 24, 25 and 26, chapter 6, title 4, part 1, pages 221-224—judicial. Also, sections 16, 17, 18 and 19, take the place of sections 21, 22, 23 and 24, chapter 9, title 8, part 1, page 510—county officers. Also, sections 20, 21, 22, 23, 24, 25, 26, 27, 28

and 29, take the place of sections 29, 30, 31, 32, 33, 34, 35, 36, 37 and 38, chapter 8, title 8, part 1, pages 500-504—county officers. Also, section 30, takes the place of section 39, chapter 5, title 8, part 1, page 461—county officers. Also, section 31, takes the place of section 18, chapter 5, title 8, part 1, page 454—county officers. Also, sections 32 and 33, take the place of sections 21 and 22, chapter 6, title 8, part 1, page 476—county officers. And at the end of chapter 3, title 9, part 1, page 547—compensation of officers.

S. B. No. 363—Mr. Tyler—An additional clause to go at end of chapter 3, division 3, title 12, part 1, page 200—municipal corporations. And also, section 1, chapter 15, division 8, title 12, part 1, page 394—municipal corporations.

H. B. No. 629—Mr. Wright—Is sections 4 and 5, chapter 5, division 8, title 12, part 1, page 359—municipal corporations.

H. B. No. 788—Mr. Greene—Takes the place of section 43, chapter 10, title 2, part 2, page 151—corporations.

S. B. No. 263—Mr. Beebe—Is section 3, chapter 9, title 2, part 2, page 126—corporations.

H. B. No. 882—Mr. Booth—Follows after section 69, chapter 1, title 8, part 1, page 379—county officers.

H. B. No. 53—Mr. Reed of Ross—Takes the place of section 10, chapter 5, title 2, part 2, page 94—corporations.

S. B. No. 228—Mr. Jackson of Clinton—Takes the place of section 14, chapter 10, title 7, part 2, page 105—public ways.

H. B. No. 791—Mr. Covert—Follows at end of chapter 5, title 13, part 1, page 479—taxation.

S. B. No. 373—Mr. Jackson of Perry—Follows after section 1, chapter 13, division 8, title 12, part 1, page 388—municipal corporations.

S. B. No. 358—Mr. Benson—Is section 35, chapter 8, title 1, part 4, page 273—crimes and offenses.

H. B. No. 990—Mr. Covert—Follows after section 22, chapter 3, title 1, part 4, page 246—crimes and offenses.

S. B. No. 243—Mr. Owens—Follows after section 54, chapter 7, title 1, part 4, page 278—crimes and offenses.

H. B. No. 944—Mr. Sawyer—Takes the place of chapter 8, title 5, part 1—benevolent institutions.

S. B. No. 230—Mr. Jackson of Clinton—Is section 4, chapter 5, division 3, title 1, part 3, page 665—civil code.

H. B. No. 1060—Mr. Bloom—Is section 2, chapter 1, title 9, part 1, page 521—compensation.

H. B. No. 614—Mr. Turner—Is section 31, chapter 4, division 7, title 12, part 1, page 319—municipal corporations.

H. B. No. 823—Mr. Loder—To follow section 15, chapter 2, division 8, title 12, part 1, page 350—municipal corporations.

S. B. No. 210—Mr. Curtiss—Is repealed by implication by H. B. No. 964, by Mr. Reed of Ross.

The several acts above recited are recited in the language in which they are inserted in the code, in "Appendix B," which is submitted with this report, and the committee recommends the adoption of the several sections in said appendix as amendments to the code, as in the report indicated.

The committee further recommend the adoption of the several sections indicated in "Appendix A," as amendments to S. B. No. 308, in the

Friday, June 20, 1879.

places therein designated, and the adoption of the repealing clauses as indicated in "Appendix B," Senate Journal, herewith submitted as an amendment to follow the last section of S. B. No. 308.

The committee also numbered the sections consecutively, as instructed.

The committee recommend the passage of the bill when so amended.

W. T. FORREST,
G. M. SALTZGABER,
H. W. CURTISS,
LYMAN J. JACKSON,
W. P. HOWLAND,
JAMES W. OWENS,
GEO. W. WILSON,

Committee on part of the Senate.

J. G. MEUSER,
J. W. WASHBURN,
HERMAN F. ACHAUER,
CHARLES TOWNSEND,
JOHN C. COVERT,
ROBERT MACKEY,
S. S. BLOOM,

Committee on part of the House.

Said report was agreed to.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The House of Representatives has concurred in the passage of the following bill :

S. B. No. 308—Mr. Forrest—To revise and consolidate the general statutes of Ohio—with the following amendments, in which the concurrence of the Senate is requested :

Add: H. B. No. 726, by Mr. Oglevee, as Title I., Part 1, of S. B. No. 308; H. B. No. 643, by Mr. Groschner, as Title II., Part 1; H. B. No. 610, by Mr. Van Cleaf, as Title III., Part 1; S. B. No. 205, by Mr. Forrest, as Title IV., Part 1; S. B. No. 216, by Mr. Owens, as Title V., Part 1; H. B. No. 639, by Mr. Clough, as Title VI., Part 1; H. B. No. 674, by Mr. Sextro, as Title VII., Part 1; S. B. No. 256, by Mr. Dungan, as Title VIII., Part 1; H. B. No. 782, by Mr. Williams, as Title IX., Part 1; H. B. No. 805, by Mr. Levering, as Title X., Part 1; H. B. No. 787, by Mr. Bloom, as Title XI., Part 1; H. B. No. 119, by Mr. Swaim, as Title XIV., Part 1; H. B. No. 895, by Mr. Dodds, as Title XV., Part 1; H. B. No. 715, by Mr. Bohl, as Title I., Part 2; S. B. No. 217, by Mr. Lord, as Title II., Part 2; S. B. No. 203, by Mr. Krimmel, as Title III., Part 2; S. B. No. 200, by Mr. Saltzgaber, as Title IV., Part 2; H. B. No. 837, by Mr. Swaim, as Title V., Part 2; H. B. No. 593, by Mr. Brown of Putnam, as Title VI., Part 2; and H. B. No. 602, by Mr. Hume, as Title VII., Part 2. Add chapter on repeals.

Strike out original sections whenever necessary, and insert the bills reported on the Senate Journal in the report of the joint committee on Consolidated Laws.

Strike out the numbers of all sections, and renumber consecutively from 1 to 7437.

Attest:

L. A. BRUNNER, *Clerk.*

The question being on concurring in said House amendments, the yeas and nays were ordered, taken, and resulted—yeas 27, nays none, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carson, Curtiss, Dungan, Fisher, Forrest, Grove, Howland, Irvine, Joy, Lord, Marsh, McDonald, Owens, Parker, Richards, Saltzgaber, Seitz, Sherrick, Stokes, Tyler, Wagener, Williams and Wilson—27.

So the Senate concurred in said House amendments, and the bill was passed.

Mr. Richards arose to a question of privilege, and presented the following protest, which he asked should be spread upon the Senate Journal; which request was granted:

We, the undersigned, members of this Senate, hereby enter our solemn protest against the laws passed by this General Assembly, known as the reorganization acts, and the act redistricting the State for congressional purposes between decennial periods, and forming a part of the codified and consolidated statutes of this State; and we do not wish in any sense to be understood as endorsing the same.

Being, however, unable to expunge such laws from the work, and being desirous of effecting a proper and complete codification and consolidation of the statutes, we ask that this, our protest against said acts, be spread upon the Journal of the Senate.

R. G. RICHARDS,	LINDSEY KELLEY,
G. W. WILSON.	HYLUS SABINE,
W. P. HOWLAND,	H. W. CURTISS,
THOS. M. BEER,	D. D. BEEBE.
THOS. S. JACKSON,	

Mr. Dungan submitted the following report:

The joint committee on Enrollment has examined, and found correctly enrolled, the following bills:

H. B. No. 972—To divide Harrison township, Preble county, Ohio, into two voting precincts.

H. B. No. 984—To exempt from taxation the benevolent fund of Indiana Yearly Meeting of Friends.

IRVINE DUNGAN,	R. G. RICHARDS,
J. W. WASHBURN,	DUNCAN DOW,
F. M. CARTER,	E. S. PERKINS.

MESSAGE FROM THE GOVERNOR.

THE STATE OF OHIO, EXECUTIVE DEPARTMENT,

COLUMBUS, 20th day of June, 1879.

To the Senate:

I have the honor to nominate, and by and with the advice and consent of the Senate, appoint W. B. Hillman, of Cleveland, Cuyahoga county, Ohio, to be State Inspector of Oils, to fill the unexpired term of Frederick W. Green, deceased.

Very respectfully,

RICHARD M. BISHOP.

On motion, said communication was referred to the committee on Manufactures and Commerce.

Mr. Tyler offered the following resolution :

S. R. No. 105: *Resolved*, That D. S. Fisher, Journal Clerk, W. V. Cox, Message Clerk, Chas. Rhodes, Engrossing Clerk, and Ed. A. Knowles, Recording Clerk, be each allowed five days' *per diem* for extra services performed at the end of regular session, and five days' *per diem* for like services performed before the adjourned session of the Sixty-third General Assembly, and the President of the Senate is hereby directed to certify in their favor for said *per diem*.

Mr. Seitz moved that the resolution be referred to the committee on Finance.

Which was disagreed to.

The question being on the adoption of said resolution, the yeas and nays were ordered, taken, and resulted—yeas 30, nays none, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carson, Curtiss, Dungan, Forrest, Grove, Howland, Irvine, Jackson of Clinton, Jackson of Perry, Joy, Kelley, Lord, Marsh, McDonald, Owens, Parker, Richards, Sabine, Saltzgaber, Sherrick, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—30.

So said resolution was adopted.

Mr. Steedman submitted the following report :

The standing committee on Federal Relations, to whom was referred H. J. R. No. 136—Authorizing the Adjutant-general to make a certain appointment—having had the same under consideration, report the following substitute, and recommend its adoption :

Substitute for H. J. R. No. 136—Relating to the care of a certain graveyard :

WHEREAS, The Government of the United States owns and controls the real estate, known as the "Rebel Graveyard", on the site of old Camp Chase, which contains 2500 dead, whose names, records, dates, and causes of death are among the archives of the War Department; and

WHEREAS, Said graveyard has been neglected, fences broken down, head-boards rotted so that the graves cannot be identified; therefore,

Be it resolved by the General Assembly of the State of Ohio, That the Ohio Delegation in Congress are requested to take such steps as may be necessary to have the Government put said burial-place in good repair; and that the Governor be requested to forward a copy of this preamble and resolution to our Senators and Representatives in Congress.

JAMES B. STEEDMAN,
LYMAN J. JACKSON,
W. P. HOWLAND,

LINDSEY KELLEY,
J. M. CARSON,
C. S. PARKER.

Said substitute was agreed to.

The question being on the adoption of said joint resolution, the yeas and nays were taken, and resulted—yeas 33, nays none, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carson, Curtiss, Dungan, Fisher, Forrest, Grove, Howland, Irvine, Jackson of Clinton, Jackson of Perry, Joy, Kelley, Krimmel, Lord, Marsh, McDonald, Owens, Parker, Richards, Sabine, Saltzgaber, Seitz, Sherrick, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—33.

So the joint resolution was adopted.

Mr. Beer offered the following resolution :

S. R. No. 106: *Resolved*, That the Clerk of the Senate, in addition to his other duties, is required to compile from the Journals of the Senate and the decisions of the presiding officer, rules for the government of the Senate, and have two hundred copies of the same printed and distributed among the members of the Sixty-fourth General Assembly; provided, that no additional compensation shall be allowed for said services.

On motion, said resolution was referred to the committee on Printing.

Mr. Forrest moved to take from the table Mr. Sherrick's motion to suspend Senate Rule No. 36.

Which was agreed to.

The question then being on suspending said rule—

Mr. Forrest moved that said motion be laid on the table.

Which was agreed to.

Bills were read the second time and referred, as follows :

H. B. No. 1084—Mr. Bohl—Appropriating money to pay a guard at the State Arsenal.

Committee on Finance.

H. B. No. 1082—By Finance Committee—To aid in the construction of an embankment for a bridge over the Loramie Reservoir, in Shelby county.

Mr. Carson moved that the constitutional rule, requiring bills to be read on three different days, be suspended, that said H. B. No. 1082 may be read the third time.

Mr. Seitz moved that said bill be referred to the committee on Finance.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 9, nays 15, as follow :

Those who voted in the affirmative were—

Messrs. Beer, Benson, Curtiss, Dungan, Fisher, Marsh, Richards, Seitz and Sherrick—9.

Those who voted in the negative were—

Messrs. Armstrong, Beebe, Carson, Grove, Howland, Jackson of Clinton, Krimmel, Lord, McDonald, Owens, Saltzgaber, Steedman, Tyler, Wagener and Williams—15.

So the motion was disagreed to.

The question recurring on Mr. Carson's motion to suspend the rule and read the bill the third time, the yeas and nays were taken, and resulted—yeas 19, nays 7, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Benson, Carson, Dungan, Fisher, Grove, Irvine, Jackson of Clinton, Jackson of Perry, Krimmel, Lord, Marsh, McDonald, Saltzgaber, Steedman, Tyler, Wagener and Williams—19.

Those who voted in the negative were—

Messrs. Beer, Curtiss, Howland, Owens, Richards, Seitz and Sherrick—7.

So the motion, having failed to receive the requisite majority, was lost.

On motion of Mr. Seitz, said bill was referred to the committee on Finance.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The House of Representatives has concurred in the adoption of the following joint resolution :

Senate Substitute for H. J. R. No. 136—Mr. White—Relating to the care of a certain graveyard.

Attest:

L. A. BRUNNER, *Clerk*.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has reconsidered the vote by which it passed House Substitute for S. B. No. 365, by Mr. Forrest, and requests a return of the bill to the House.

Attest:

L. A. BRUNNER, *Clerk*.

The question being on acceding to the request of the House—

Mr. Fisher moved that said request be laid on the table.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 6, nays 16, as follow:

Those who voted in the affirmative were—

Messrs. Benson, Dungan, Fisher, Forrest, Parker and Sherrick—6.

Those who voted in the negative were—

Messrs. Beebe, Beer, Carson, Curtiss, Grove, Howland, Irvine, Jackson of Clinton, Jackson of Perry, Kelley, Lord, Marsh, McDonald, Owens, Richards and Steedman—16.

So the motion was disagreed to.

The question recurring on acceding to the request of the House—

Pending which, Mr. Saltzgaber moved that the Senate take a recess until 7½ o'clock P.M.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 13, nays 17, as follow:

Those who voted in the affirmative were—

Messrs. Benson, Dungan, Fisher, Forrest, Grove, McDonald, Parker, Saltzgaber, Seitz, Sherrick, Stokes, Tyler and Williams—13.

Those who voted in the negative were—

Messrs. Armstrong, Beebe, Beer, Carson, Curtiss, Howland, Irvine, Jackson of Clinton, Jackson of Perry, Kelley, Krimmel, Lord, Marsh, Owens, Richards, Steedman and Wagener—17.

So the motion was disagreed to.

Mr. Sherrick moved that the Senate adjourn.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 16, nays 14, as follow:

Those who voted in the affirmative were—

Messrs. Beebe, Curtiss, Dungan, Fisher, Forrest, Howland, Irvine, Jackson of Clinton, Kelley, Krimmel, Lord, McDonald, Owens, Richards, Sherrick and Williams—16.

Those who voted in the negative were—

Messrs. Armstrong, Beer, Benson, Carson, Grove, Jackson of Perry, Marsh, Parker, Saltzgaber, Seitz, Steedman, Stokes, Tyler and Wagener—14.

So the motion was agreed to, and the Senate adjourned.

Attest:

ALLEN O. MYERS, *Clerk*.

SATURDAY, *June* 21, 1879—10 o'clock A.M.

The Senate met pursuant to adjournment.

Prayer by Rev. R. G. Hutchins.

The Journal was read and approved.

Mr. Wagener submitted the following report:

The standing committee on Manufactures and Commerce, to whom was referred the nomination by the Governor of W. B. Hillman, of Cleveland, Ohio, as Inspector of Oil for illuminating purposes, for the unexpired term of Frederick W. Green, deceased, having had the same under consideration, report it back, and recommend that the Senate do advise and consent to the said appointment.

D. WAGENER,	J. M. ARMSTRONG,
G. A. GROVE,	GEO. P. TYLER,
LINDSEY KELLEY,	THOS. M. BEER.
J. B. WILLIAMS,	

The question being on advising and consenting to said appointment, the yeas and nays were taken, and resulted—yeas 26, nays 1, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Carson, Curtiss, Fisher, Forrest, Grove, Howland, Irvine, Jackson of Clinton, Jackson of Perry, Kelley, Krimmel, McDonald, Owens, Parker, Richards, Seitz, Steedman, Stokes, Tyler, Wagener, and Wilson—26.

Mr. Johnston voted in the negative.

So the Senate advised and consented to said appointment.

Mr. Tyler submitted the following report:

The committee of Conference, to whom was referred the matters of difference between the two Houses on H. B. No. 1042, having had the same under consideration, have agreed upon the following substitute for Senate amendment, and recommend its passage:

“Upon the grand duplicate of the county, excepting all such lands or lots of lands as have heretofore been assessed for the construction of any free turnpike already constructed or in course of construction (excepting in cities and incorporated villages, which shall only be taxed their proportion for the purchase of said toll-roads, and also for keeping the same in repair for two years), unless the amount that would be ratable levied upon the said lands shall exceed the amount of such assessment; and in such case such excess only shall be levied and collected an amount which in their opinion will be sufficient for the purpose, which sum shall be known as the special.”

GEO. P. TYLER,
J. B. WILLIAMS,
G. W. WILSON,

Committee on part of the Senate.

JAMES TURNER,
J. M. POE,
L. HERRICK,

Committee on part of the House.

The question being on agreeing to said report, the yeas and nays were ordered, taken, and resulted—yeas 24, nays none, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Benson, Carlisle, Carson, Curtiss, Fisher,

Grove, Howland, Jackson of Clinton, Jackson of Perry, Johnston, Kelley, Krimmel, Lord, Marsh, McDonald, Owens, Parker, Richards, Steedman, Stokes, Tyler and Wagener—24.

So the report was agreed to.

Mr. Carson submitted the following report :

The standing committee on Finance, to whom was referred H. B. No. 1082—To aid in the construction of an embankment to a bridge over the Loramie Reservoir, in Shelby county—having had the same under consideration, report it back without recommendation.

J. M. CARSON,	JOHNSON SHERRICK,
J. C. FISHER,	H. W. CURTISS,
H. C. LORD,	THOS. M. BEER.
JOHN SEITZ,	

Said bill was ordered to be engrossed and read the third time now, and was then read.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 20, nays 7, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Benson, Carlisle, Carson, Dungan, Forrest, Grove, Irvine, Jackson of Clinton, Jackson of Perry, Krimmel, Lord, Marsh, McDonald, Saltzgaber, Steedman, Stokes, Tyler, Wagener and Williams—20.

Those who voted in the negative were—

Messrs. Beer, Howland, Johnston, Kelley, Richards, Sherrick and Wilson—7.

So the bill passed. The title was agreed to.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The House of Representatives has concurred in Senate amendments to—

H. B. No. 625—Mr. Swaim—Supplementary to an act entitled an act defining the powers and duties of the Board of Public Works, passed May 14, 1878.

Attest:

L. A. BRUNNER, *Clerk.*

Mr. Lord moved to reconsider the vote whereby H. B. No. 1037 was lost.

Which was agreed to.

Mr. Lord moved that a message be sent to House, requesting the return of said bill.

Which was agreed to.

Bills were read the second time and disposed of, as follows :

H. B. No. 1076—Mr. Booth—To authorize the levy of an additional tax for the purpose of repairing and paying the debts of the Georgesville free turnpike, in Franklin county.

Committee on Finance.

H. B. No. 1085 – Mr. Brown of Putnam – Supplementary to the act of May 22, 1879, entitled an act making appropriations for the fiscal year 1879, and the first quarter of the fiscal year 1880, payable out of the revenue fund, (76, O. L., 99.)

Mr. Sherrick moved that the constitutional rule, requiring bills to be

read on three different days, be suspended, that H. B. No. 1085 may be read the third time.

On which motion the yeas and nays were taken, and resulted—yeas 28, nays none, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Carson, Curtiss, Dungan, Grove, Irvine, Jackson of Perry, Johnston, Kelley, Krimmel, Lord, Marsh, McDonald, Owens, Parker, Richards, Seitz, Sherrick, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—28.

So the motion was agreed to, and the bill was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 31, nays none, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Carson, Curtiss, Fisher, Forrest, Grove, Howland, Irvine, Jackson of Clinton, Jackson of Perry, Johnston, Kelley, Krimmel, Lord, Marsh, McDonald, Owens, Parker, Richards, Saltzgaber, Seitz, Sherrick, Steedman, Stokes, Tyler, Wagener and Wilson—31.

So the bill passed. The title was agreed to.

H. B. No. 1083—Mr. Bloom—To provide for printing and distributing the laws of the present session, and the revised statutes in permanent form, and to repeal an act therein named.

Mr. Steedman moved that the constitutional rule, requiring bills to be read on three different days, be suspended, that H. B. No. 1083 may be read the third time.

On which motion the yeas and nays were taken, and resulted—yeas 27, nays 3, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Carson, Curtiss, Grove, Howland, Irvine, Jackson of Clinton, Johnston, Kelley, Krimmel, Lord, Marsh, McDonald, Owens, Parker, Richards, Seitz, Sherrick, Steedman, Stokes, Wagener, Williams and Wilson—27.

Those who voted in the negative were—

Messrs. Dungan, Forrest and Saltzgaber—3.

So the motion was agreed to, and the bill was read the third time.

The question being on the passage of the bill—

Mr. Owens moved to refer the bill to a select committee of one, with instructions to amend as follows :

After the word "volumes", in line 18, section 2, insert the following: "as foot-notes on the pages".

Mr. Sherrick moved to amend the instructions as follows :

"By requiring the committee to place the annotations in the second volume, and have the first volume published by September 15, 1879".

On which motion the yeas and nays were demanded, taken, and resulted—yeas 9, nays 23, as follow :

Those who voted in the affirmative were—

Messrs. Benson, Dungan, Fisher, Grove, Saltzgaber, Seitz, Sherrick, Stokes and Tyler—9.

Those who voted in the negative were—

Messrs. Armstrong, Beebe, Beer, Carlisle, Carson, Curtiss, Forrest, Howland, Irvine, Jackson of Clinton, Jackson of Perry, Johnston, Kelley, Krimmel, Lord, Marsh, McDonald, Owens, Richards, Steedman, Wagener, Williams and Wilson—23.

So the motion to amend the instructions was disagreed to.

The question recurring on Mr. Owens' motion to refer —

Mr. Saltzgaber moved to amend the instructions as follows :

By striking out of the bill from the word "appendix", in line 17, to the word "which", in line 20, section 2.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 10, nays 18, as follow :

Those who voted in the affirmative were—

Messrs. Dungan, Fisher, Forrest, Grove, Irvine, Jackson of Perry, Saltzgaber, Seitz, Sherrick and Tyler—10.

Those who voted in the negative were—

Messrs. Armstrong, Beer, Benson, Carlisle, Carson, Curtiss, Howland, Jackson of Clinton, Johnston, Kelley, Krimmel, Lord, Owens, Richards, Steedman, Wagener, Williams and Wilson—18.

So the motion was disagreed to.

The question recurring on Mr. Owens' motion, to refer with instructions—

Mr. Jackson of Perry moved to amend the instructions by substituting therefor the following: "with instructions to strike out of the bill all provisions for annotations and all appropriations therefor."

Pending the consideration of which, on motion of Mr. Jackson of Perry, the Senate took a recess until two o'clock P.M.

TWO O'CLOCK P.M.

When the Senate took a recess, it had under consideration the motion of Mr. Jackson of Perry, to substitute certain matters for Mr. Owens' motion.

On demand of Mr. Beer, a call of the Senate was had.

Twenty-two Senators answered to their names.

Messrs. Beebe, Carlisle, Carson, Forrest, Grove, Joy, Kelley, Krimmel, Marsh, Sabine, Saltzgaber and Steedman were absent.

On motion of Mr. Jackson of Perry, the Sergeant-at-Arms was dispatched for absentees.

Messrs. Steedman, Forrest, Saltzgaber and Marsh having appeared within the bar of the Senate, and answered to their names—

On motion of Mr. Johnston, further proceedings under the call were dispensed with.

The question recurring on Mr. Jackson's motion to amend the instructions, the yeas and nays were demanded, taken, and resulted—yeas 10, nays 19, as follow :

Those who voted in the affirmative were—

Messrs. Dungan, Fisher, Forrest, Grove, Jackson of Perry, Saltzgaber, Seitz, Sherrick, Stokes and Tyler—10.

Those who voted in the negative were—

Messrs. Beer, Benson, Carson, Curtiss, Howland, Irvine, Jackson of Clinton, Johnston, Kelley, Krimmel, Lord, Marsh, McDonald, Owens, Richards, Steedman, Wagener, Williams and Wilson—19.

So the motion was disagreed to.

The question again recurring on Mr. Owens' motion to refer—

Mr. Wilson moved that the committee consist of one instead of five members.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 13, nays 15, as follow :

Those who voted in the affirmative were—

Messrs. Beer, Carson, Curtiss, Howland, Jackson of Clinton, Kelley, Krimmel, Lord, Owens, Richards, Steedman, Wagener and Wilson—13.

Those who voted in the negative were—

Messrs. Benson, Dungan, Fisher, Forrest, Grove, Irvine, Jackson of Perry, Johnston, Marsh, McDonald, Parker, Seitz, Stokes, Tyler and Williams—15.

So the motion was disagreed to.

Mr. Saltzgaber moved to reconsider the vote whereby Mr. Wilson's motion was lost.

Which was agreed to.

The question then recurring on Mr. Wilson's motion to refer to a committee of "one" instead of "five"—

The same was agreed to.

The question being on Mr. Owens' motion to refer, the yeas and nays were demanded, taken, and resulted—yeas 17, nays 13, as follow :

Those who voted in the affirmative were—

Messrs. Benson, Forrest, Grove, Howland, Irvine, Jackson of Clinton, Jackson of Perry, Kelley, Lord, Owens, Parker, Richards, Saltzgaber, Seitz, Sherrick, Tyler and Wilson—17.

Those who voted in the negative were—

Messrs. Armstrong, Beer, Carlisle, Carson, Curtiss, Dungan, Johnston, Krimmel, Marsh, McDonald, Steedman, Wagener and Williams 13.

So the motion was agreed to, and Mr. Owens was appointed such committee, and reported the bill back amended as instructed.

Mr. Saltzgaber moved to refer the bill to a select committee of one, with instructions to amend as follows :

In line 6, section 4, after "prepare", insert : "one set of".

Which was agreed to, and Mr. Saltzgaber was appointed such committee, and reported the bill back amended as instructed.

Mr. Tyler moved to refer the bill to a select committee of one, with instructions to amend as follows :

In line 21, section 2, after the word "distribution", strike out "December first", and insert : "September fifteenth".

On which motion the yeas and nays were demanded, taken, and resulted—yeas 10, nays 21, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Carlisle, Carson, Fisher, Forrest, Grove, Parker, Seitz, Stokes and Tyler—10.

Those who voted in the negative were—

Messrs. Beer, Benson, Curtiss, Dungan, Howland, Irvine, Jackson of Clinton, Johnston, Kelley, Krimmel, Lord, Marsh, McDonald, Owens, Richards, Saltzgaber, Sherrick, Steedman, Wagener, Williams and Wilson—21.

So the motion was disagreed to.

Mr. Tyler moved to refer the bill to a select committee of one, with instructions to amend as follows :

Strike out the word "annotations", wherever it occurs in the bill.

Which was disagreed to.

Mr. Saltzgaber moved to refer the bill to a select committee of one, with instructions to amend as follows :

In line 19, after the words "state of", and before "any", insert: "two hundred dollars for each day such work is unreasonably delayed by such contractor, and".

Which was agreed to, and Mr. Saltzgaber was appointed such committee, and reported the bill back amended as instructed.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 22, nays 6, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Beer, Benson, Carlisle, Carson, Curtiss, Howland, Irvine, Jackson of Clinton, Johnston, Kelley, Krimmel, Lord, Marsh, McDonald, Owens, Parker, Richards, Steedman, Wagener, Williams and Wilson—22.

Those who voted in the negative were—

Messrs. Dungan, Fisher, Forrest, Saltzgaber, Sherrick and Tyler—6.

So the bill passed. The title was agreed to.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has adopted the following joint resolution, in which the concurrence of the Senate is requested:

H. J. R. No. 140—Mr. Swaim—Authorizing the Secretary of State to publish 20,000 copies of the Seitz Election Law.

Attest:

L. A. BRUNNER, *Clerk*.

On motion, said joint resolution was referred to the committee on the Judiciary.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has refused to concur in the passage of the following bill:

Substitute for S. B. No. 380—Mr. Lord—To amend section one, chapter two, division eight, and section one, sub-division one, chapter five, title twelve, and section three, sub-division one, and section twelve of same sub-division of an act entitled an act to amend, revise and consolidate the statutes relating to municipal corporations, to be known as title twelve, part one of the act to revise and consolidate the general statutes of Ohio.

Attest:

L. A. BRUNNER, *Clerk*.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has refused to agree to the report of the committee of Conference on—

H. B. No. 1042—Mr. Crosley—To amend sections three and four of an act to enable the Commissioners of Montgomery and Warren counties to purchase toll-roads, and to convert the same into free turnpike roads, passed May 10, 1878, (O. L., Vol. 75, p. 1150.)

Attest:

L. A. BRUNNER, *Clerk*.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The House of Representatives has agreed to the report of the committee of Conference on—

H. B. No. 928—Mr. Meuser—To authorize certain municipal corporations to issue bonds to raise money to construct water-works.

Attest :

L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The House of Representatives has reconsidered the vote by which it refused to adopt S. J. R. No. 98, by Mr. Steedman, and requests its return to the House.

Attest :

L. A. BRUNNER, *Clerk.*

On motion of Mr. Curtiss, said request of the House was acceded to.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The House of Representatives accedes to the request of the Senate, and herewith returns H. B. No. 1037, by Mr. Klimper.

Attest :

L. A. BRUNNER, *Clerk.*

Said bill was taken up.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 18, nays 4, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Benson, Curtiss, Dungan, Forrest, Grove, Irvine, Jackson of Perry, Krimmel, Lord, Marsh, McDonald, Owens, Parker, Steedman, Tyler, Wagener and Wilson—18.

Those who voted in the negative were—

Messrs. Fisher, Saltzgaber, Seitz and Sherrick—4.

So the bill passed. The title was agreed to.

Mr. Forrest submitted the following report :

The committee of Conference, to whom was referred the matters of difference between the two Houses on H. B. No. 928, having had the same under consideration, recommend that the Senate recede from so much of the amendments as read as follows: "and two-thirds of the electors voting thereat vote in favor of the same," and that the House concur in the remainder of the amendments.

W. T. FORREST,
G. W. WILSON,

Committee on part of the Senate.

J. G. MEUSER,
THOS. LEGGETT,
WM. JESSUP,

Committee on part of the House.

The question being on agreeing to said report, the yeas and nays were ordered, taken, and resulted—yeas 9, nays 16, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Forrest, Grove, Howland, Johnston, Parker, Sherrick, Tyler and Wilson—9.

Those who voted in the negative were—

Messrs. Beer, Benson, Carlisle, Carson, Dungan, Fisher, Irvine, Jackson of Clinton, Kelley, Owens, Richards, Saltzgaber, Seitz, Steedman, Wagener and Williams—16.

So said report was disagreed to.

Mr. Sherrick submitted the following report:

The standing committee on Finance, to whom was referred H. J. R. No. 114 - To authorize the Commissioners of the Sinking Fund to release certain indebtedness—having had the same under consideration, report it back, with the recommendation that it be adopted.

J. SHERRICK,	H. C. LORD,
J. C. FISHER,	JOHN SEITZ,
H. W. CURTISS,	THOS. M. BEER.

The question being on the adoption of the joint resolution, the yeas and nays were ordered, taken, and resulted—yeas 24, nays 3, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Benson, Carlisle, Curtiss, Dungan, Fisher, Grove, Howland, Irvine, Jackson of Clinton, Krimmel, Lord, Marsh, Owens, Parker, Richards, Saltzgaber, Seitz, Sherrick, Steedman, Stokes, Tyler, Williams and Wilson—24.

Those who voted in the negative were—

Messrs. Forrest, Johnston and McDonald—3.

So said joint resolution was adopted.

Mr. Armstrong submitted the following report:

The standing committee on Claims, to whom was referred S. R. No. 103—Providing for completion of records of Senate Journal—having had the same under consideration, report it back, with the following amendment, and recommend its adoption:

At the end of the resolution add the following: "Provided, that in the employment of a proof-reader, the Clerk is hereby required to pay the same out of the appropriation made by this resolution, and provided, further, that the Clerk is required to have the Senate Journal ready for distribution to Senators on or before the 20th day of September, 1879.

J. M. ARMSTRONG,	J. B. WILLIAMS,
J. C. McDONALD,	D. D. BEEBE,
H. SABINE,	C. S. PARKER.
G. A. GROVE,	

Said amendment was agreed to.

The question being on the adoption of said resolution, the yeas and nays were ordered, taken, and resulted—yeas 27, nays none, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Beer, Benson, Carson, Curtiss, Dungan, Fisher, Forrest, Grove, Howland, Irvine, Jackson of Perry, Johnston, Kelley, Krimmel, Lord, Marsh, McDonald, Owens, Parker, Richards, Seitz, Steedman, Stokes, Tyler, Wagener and Wilson—27.

So the resolution was adopted.

Mr. Jackson of Perry offered the following resolution :

S. R. No. 107: *Be it resolved*, That Sebastian Grumlich and Henry Yoder be allowed and paid, each, for ten days' labor, for services performed before the convening of the present session and to be performed after the final adjournment, for work and labor in preparing the Hall of the Senate before convening, and taking care of the property therein after adjournment; and the President of the Senate is hereby directed to certify in their favor for said sums.

Mr. Benson moved to amend said resolution by adding thereto the name of Frank Glaize.

Which was disagreed to.

The question being on the adoption of said resolution, the yeas and nays were taken, and resulted—yeas 26, nays none, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beer, Benson, Carlisle, Curtiss, Dungan, Howland, Irvine, Jackson of Clinton, Jackson of Perry, Johnston, Krimmel, Lord, Marsh, McDonald, Owens, Parker, Richards, Saltzgaber, Sherrick, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—26.

So said resolution was adopted.

Mr. Jackson of Perry submitted the following report:

The standing committee on Military Affairs, to whom was referred H. J. R. No. 138, having had the same under consideration, report it back, with the recommendation that it be adopted.

LYMAN J. JACKSON,	GEO. P. TYLER,
J. M. CARSON,	D. JOY.

The question being on the adoption of said joint resolution, the yeas and nays were ordered, taken, and resulted – yeas 24, nays none, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beer, Benson, Carlisle, Curtiss, Grove, Howland, Irvine, Jackson of Clinton, Jackson of Perry, Johnston, Krimmel, Lord, McDonald, Owens, Parker, Richards, Seitz, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—24.

So the joint resolution was adopted.

Mr. Wilson offered the following resolution, which was adopted :

S. R. No. 108: WHEREAS, The Sergeant-at-Arms of the Senate is required by law to receipt for all the statutes and other books used by the members of the Senate, and is held responsible for their return to the Secretary of State; and

WHEREAS, A number of said statutes and other books may have disappeared from the Hall of the Senate, without the neglect or want of care of the Sergeant-at-Arms; therefore,

Be it resolved by the Senate, That the Sergeant-at-Arms be and he is hereby released from any legal liability incurred by reason of the loss of said statutes and other books receipted for by him, as such officer of the Senate.

Mr. Seitz submitted the following report:

The standing committee on Finance, to whom was referred H. B. No. 1084—Appropriating money to pay a guard at State Arsenal—having had the same under consideration, report it back, with the recommendation that it be passed.

JOHN SEITZ,	H. W. CURTISS,
J. C. FISHER,	J. M. CARSON,
THOS. M. BEER,	J. SHERRICK.

Said bill was ordered to be engrossed and read the third time now, and was then read.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 25, nays none, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Beer, Benson, Carlisle, Curtiss, Fisher, Howland, Irvine, Jackson of Clinton, Johnston, Kelley, Krimmel, Lord, Marsh, McDonald, Owens, Parker, Richards, Seitz, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—25.

So the bill passed. The title was agreed to.

Mr. Fisher submitted the following report:

The standing committee on Printing, to whom was referred S. R. No. 106—To provide for the revision and printing of the Senate Rules—having had the same under consideration, report it back, with the recommendation that it be adopted.

J. C. FISHER,	C. F. KRIMMEL,
LINDSEY KELLEY,	J. M. CARSON,
J. M. ARMSTRONG,	D. D. BEEBE.

The question being on the adoption of said resolution, the yeas and nays were ordered, taken, and resulted—yeas 24, nays none, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Beer, Carlisle, Curtiss, Fisher, Grove, Howland, Irvine, Jackson of Clinton, Jackson of Perry, Johnston, Kelley, Krimmel, Lord, McDonald, Owens, Parker, Richards, Seitz, Steedman, Stokes, Tyler, Wagener and Wilson—24.

So the resolution was adopted.

Mr. Richards offered the following resolution:

S. R. No. 109: *Resolved*, That we hereby tender our thanks to Lieutenant-Governor Fitch, for the able, courteous and impartial manner in which he has exercised the duties of his office as President of the Senate.

The question being on the adoption of said resolution, the yeas and nays were taken, and resulted—yeas 24, nays none, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Carlisle, Curtiss, Fisher, Grove, Howland, Irvine, Jackson of Clinton, Jackson of Perry, Johnston, Kelley, Krimmel, Lord, Marsh, McDonald, Owens, Parker, Richards, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—24.

So said resolution was adopted.

Mr. Wilson offered the following resolution:

S. R. No. 110: *Resolved*, That the thanks of the Senators of the present General Assembly are hereby tendered to Senator James W. Owens, President *pro tem.* of the Senate, for the able, efficient and impartial manner in which he has discharged the duties of his office.

The question being on the adoption of said resolution, the yeas and nays were taken, and resulted—yeas 23, nays none, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Beer, Carlisle, Curtiss, Grove, Howland, Irvine, Jackson of Clinton, Jackson of Perry, Johnston, Kelley, Krimmel, Lord, Marsh, McDonald, Parker, Richards, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—23.

So the resolution was adopted.

Mr. Johnston, on leave, introduced the following bill, which was read the first time:

S. B. No. 391—To punish certain offenses therein named.

Mr. Curtiss moved that the constitutional rule, requiring bills to be read on three different days, be suspended, that S. B. No. 391 may be read the second time.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 14, nays 6, as follow :

Those who voted in the affirmative were—

Messrs. Beer, Curtiss, Irvine, Jackson of Clinton, Jackson of Perry, Johnston, Kelley, Owens, Richards, Steedman, Stokes, Tyler, Wagener and Williams—14.

Those who voted in the negative were —

Messrs. Armstrong, Dungan, Fisher, Howland, Marsh and McDonald—6.

So the motion, having failed to receive the requisite majority, was lost.

Mr. Marsh submitted the following report :

The standing committee on Municipal Corporations, to whom was referred H. B. No. 584—To establish a Board of Fire Commissioners in cities of the second grade of the second class, who shall have the management and control of the Fire Department—having had the same under consideration, report it back, with the recommendation that it be passed.

THEO. MARSH,	LYMAN J. JACKSON,
G. A. GROVE,	JAS. B. STEEDMAN.

Said bill was ordered to be engrossed and read the third time on Monday next.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The House of Representatives has concurred in Senate amendments to—

H. B. No. 1083—Mr. Bloom—To provide for printing and distributing the laws of the present session, and the revised statutes in permanent form, and to repeal an act therein named.

Attest :

L. A. BRUNNER, *Clerk.*

Mr. Dungan submitted the following report :

The joint committee on Enrollment has examined, and found correctly enrolled, the following bills and joint resolution :

H. B. No. 1085—Supplementary to the act of May 22, 1879, entitled an act making appropriations for the fiscal years 1879 and 1880, payable out of the revenue fund, (76 Vol., p. 99).

H. J. R. No. 136—Relating to the care of a certain graveyard.

H. B. No. 1082—To aid in the construction of an embankment for a bridge over the Loramie Reservoir, in Shelby county.

H. B. No. 625—Supplementary to an act entitled an act defining the powers and duties of the Board of Public Works.

IRVINE DUNGAN,	J. W. WASHBURN,
R. G. RICHARDS,	F. M. CARTER,
C. F. KRIMMEL,	A. D. MARSH,
C. R. HARMON,	DUNCAN DOW.
E. S. PERKINS,	

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The Speaker of the House of Representatives has, in the presence of the House, signed the following bills and joint resolution :

H. B. No. 1085—Mr. Brown of Putnam—Supplementary to the act of May 22, 1879, entitled an act making appropriations for the fiscal year 1879, and the first quarter of the fiscal year 1880, payable out of the revenue fund.

H. B. No. 1082—By Finance Committee—To aid in the construction of an embankment for a bridge over the Loramie Reservoir, in Shelby county.

H. B. No. 625—Mr. Swaim—Supplementary to an act entitled an act defining the powers and duties of the Board of Public Works, passed May 14, 1878.

H. J. R. No. 136—Mr. White—Relating to the care of a certain graveyard.

Attest:

L. A. BRUNNER, *Clerk.*

The President, in presence of the Senate, signed said bills and joint resolution.

Mr. Curtiss moved that the Senate adjourn until 8 o'clock on Monday morning.

Mr. Seitz moved to amend said motion by substituting 7 for 8 o'clock. Which was agreed to, and the Senate adjourned.

Attest:

ALLEN O. MYERS, *Clerk.*

MONDAY, June 23, 1879—7 o'clock A.M.

The Senate met pursuant to adjournment.

The Journal was read and approved.

On demand of Mr. Benson, a call of the Senate was had.

Twenty-six Senators answered to their names.

Messrs. Carson, Grove, Joy, Marsh, Richards, Sabine, Saltzgaber, Sherrick and Wilson were absent.

On motion of Mr. Benson, further proceedings under the call were dispensed with.

Mr. Wagener offered the following resolution :

S. R. No. 111: *Resolved*, That George W. Shaw, Charles Smith, Hermie Evans and Frank S. Murray, Pages, be allowed eight days', each, *per diem*, for services performed before and after the adjourned session of the Sixty-third General Assembly, and the President of the Senate is hereby directed to certify in their favor for said *per diem*.

Mr. Seitz gave notice of his intention to discuss said resolution, so it went over under the rule.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The House of Representatives has concurred in the adoption of the following joint resolution :

S. J. R. No. 93—Mr. Forrest—Relating to adjournment—with the following amendments, in which the concurrence of the Senate is requested:
In line 2, strike out the word "Tuesday," and insert "Monday."

In line 3, strike out "10th;" and insert "23d."

Attest:

L. A. BRUNNER, *Clerk*.

Mr. Steedman moved that the joint resolution be laid on the table.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 18, nays 7, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Benson, Carlisle, Fisher, Forrest, Irvine, Jackson of Perry, Krimmel, Lord, McDonald, Owens, Parker, Seitz, Steedman, Stokes, Tyler, Wagener and Williams—18.

Those who voted in the negative were—

Messrs. Beebe, Beer, Howland, Jackson of Clinton, Johnston, Kelley and Richards—7.

So the motion was agreed to.

Mr. Lord offered the following joint resolution:

S. J. R. No. 100: *Be it resolved by the General Assembly of the State of Ohio,* That the joint committee on part of House and Senate, under S. J. R. No. 52, without compensation, be and is hereby authorized by this General Assembly, to receive bids for the location of a new Deaf and Dumb Asylum, and that they be further authorized to present said bids, as offered, to the Sixty-fourth General Assembly.

The question being on the adoption of the joint resolution, the yeas and nays were ordered, taken, and resulted—yeas 12, nays 9, as follow

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Benson, Carlisle, Curtiss, Irvine, Jackson of Clinton, Jackson of Perry, Krimmel, Lord, Steedman and Wagener—12.

Those who voted in the negative were—

Messrs. Beer, Fisher, Forrest, Howland, Johnston, Kelley, Owens, Richards and Seitz—9.

So the resolution was disagreed to, having failed to receive the requisite majority.

Mr. Carlisle offered the following resolution:

S. R. No. 112: *Resolved,* That the thanks of the Senate are due, and hereby tendered to Allen O. Myers, Chief Clerk, and his gentlemanly Assistants, D. S. Fisher, W. V. Cox, Charles Rhodes and E. A. Knowles, for the prompt and efficient manner in which they have discharged their several duties.

Said resolution was unanimously adopted.

The following bill was read the second time:

S. B. No. 391—Mr. Johnston—To punish certain offenses therein named.

On motion, said bill was referred to a select committee of one—Mr. Johnston.

H. B. No. 584—Mr. Turner—To establish a Board of Fire Commissioners in cities of the second grade of the second class, who shall have the management and control of the Fire Department—was read the third time.

Said bill was informally passed.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The House of Representatives has concurred in Senate amendments to—

H. B. No. 1037—Mr. Klimper—For the relief of township and ward assessors and their assistants in Hamilton county, and to fix their compensation.

Attest:

L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The House of Representatives has refused to concur in the adoption of—

S. J. R. No. 98—Mr. Steedman—Relating to claims of the State against the General Government.

Attest:

L. A. BRUNNER, *Clerk.*

Mr. Johnston submitted the following report :

The select committee of one, to whom was referred S. B. No. 391—To punish certain offenses therein named—reports it back, with the following amendment, and recommends its passage when so amended :

In line 2, of section 1, strike out the word "fifteen," and insert "twelve."

J. R. JOHNSTON.

Said amendment was agreed to.

On motion of Mr. Lord, by unanimous consent, the rules were suspended, and said bill was ordered to be engrossed and read the third time now, and was then read.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 19, nays none, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Carlisle, Curtiss, Howland, Irvine, Jackson of Clinton, Jackson of Perry, Johnston, Kelley, Krimmel, Lord, Owens, Richards, Steedman, Stokes, Wagener and Williams—19.

So the bill passed. The title was agreed to.

Mr. Armstrong offered the following resolution, which was adopted :

S. R. No. 113: *Resolved*, That a vote of thanks of the Senate be tendered to Senators Curtiss, Dungan, Forrest, Howland, Jackson of Perry, Owens, Saltzgaber and Wilson, committee on Consolidated Laws, for the very able manner in which they have performed their duty.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The House of Representatives has adopted the following joint resolution, in which the concurrence of the Senate is requested :

H. J. R. No. 142 Mr. Brown of Putnam—Directing the Secretary of State to publish 500 copies of the first and second chapters of title six (Drainage).

Attest:

L. A. BRUNNER, *Clerk.*

The question being on the adoption of the joint resolution, the yeas and nays were ordered, taken, and resulted—yeas 23, nays none, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Carlisle, Curtiss, Fisher, Howland, Irvine, Jackson of Clinton, Jackson of Perry, Johnston, Kelley, Krimmel, Lord, McDonald, Owens, Parker, Richards, Seitz, Steedman, Stokes, Tyler, Wagener and Williams—23.

So the joint resolution was adopted.

Mr. Dungan submitted the following report :

The joint committee on Enrollment has examined, and found correctly enrolled, the following bills and joint resolutions :

S. B. No. 372—Supplementary to an act to provide for the protection of the canals of the State of Ohio, and the regulation of the navigation thereof, passed March 28, 1840, (S. & C., 202).

S. B. No. 218—To make an appropriation towards teaching and support of children in schools for education of the deaf and dumb, in Cincinnati.

S. B. No. 390—To enable the Board of Equalization of Cuyahoga county to employ help for 1879.

H. J. R. No. 114—Authorizing the Commissioners of the Sinking Fund to release certain indebtedness.

H. B. No. 1037—For the relief of township and ward assessors and their assistants in Hamilton county, and to fix their compensation.

H. B. No. 1084—Appropriating money to pay a guard at the State Arsenal.

H. B. No. 1083—To provide for printing and distributing the laws of the present session, and the revised statutes in permanent form, and to repeal an act therein named.

H. J. R. No. 142—Directing the Secretary of State to publish 500 copies of the first and second chapters of title six, (drainage).

S. J. R. No. 93—Relating to adjournment *sine die*.

IRVINE DUNGAN,	WM. JESSUP,
C. F. KRIMMEL,	F. M. CARTER,
J. W. WASHBURN,	A. D. MARSH,
R. G. RICHARDS,	C. R. HARMON.

Mr. Dungan submitted the following report :

The joint committee on Enrollment has examined, and found correctly enrolled, the following bill :-

S. B. No. 308—Mr. Forrest—To revise and consolidate the general statutes of Ohio.

IRVINE DUNGAN,	WM. JESSUP,
J. R. JOHNSTON,	C. R. HARMON,
C. F. KRIMMEL,	A. D. MARSH,
J. W. WASHBURN,	E. S. PERKINS.
F. M. CARTER,	

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The Speaker of the House of Representatives has, in the presence of the House, signed the following bills and joint resolution:

H. B. No. 1084—Mr. Bohl—Appropriating money to pay a guard at the State Arsenal.

H. B. No. 1037—Mr. Klimper—For the relief of township and ward assessors and their assistants, in Hamilton county, and to fix their compensation.

H. B. No. 1083—Mr. Bloom—To provide for printing and distributing the laws of the present session, and the revised statutes in permanent form, and to repeal an act therein named.

H. J. R. No. 114—Mr. Booth—Authorizing the Commissioners of the Sinking Fund to release certain indebtedness.

S. B. No. 308—Mr. Forrest—Revising and consolidating the general statutes of Ohio.

S. B. No. 390—Mr. Curtiss—To enable the Board of Equalization of Cuyahoga county to employ help for 1879.

S. B. No. 218—Mr. Armstrong—To amend section one of an act entitled an act to reorganize the Institution for the Education of the Deaf and Dumb, passed May 11, 1878, (Vol. 75, p. 507).

S. B. No. 372—Mr. Grove—Supplementary to an act to provide for the protection of the canals of the State of Ohio, the regulation of the navigation thereof, and for the collection of tolls, passed March 28, 1840, (S. & C., 202.)

Attest:

L. A. BRUNNER, *Clerk*.

The President, in presence of the Senate, signed said bills and joint resolution.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The Speaker of the House of Representatives has, in the presence of the House, signed the following joint resolutions:

H. J. R. No. 142—Mr. Brown of Putnam—Directing the Secretary of State to publish 500 copies of the first and second chapters of title six, (drainage.)

S. J. R. No. 93—Mr. Forrest—Relating to adjournment.

Attest:

L. A. BRUNNER, *Clerk*.

The President, in presence of the Senate, signed said joint resolutions.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives requests the appointment of a second committee of Conference on—

H. B. No. 928—Mr. Meuser—To authorize certain municipal corporations to issue bonds to raise money to construct water-works.

Attest:

L. A. BRUNNER, *Clerk*.

Mr. Curtiss moved that the request of the House be acceded to.

Which was agreed to, and the President appointed Messrs. Fisher, Curtiss and Carlisle as such committee on part of the Senate.

Mr. Seitz moved to take S. J. R. No. 93 from the table.

Which was agreed to.

The question being on concurring in House amendments, the yeas and nays were ordered, taken, and resulted—yeas 27, nays none, as follow:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Benson, Carlisle, Curtiss, Dungan, Fisher, Grove, Howland, Irvine, Jackson of Clinton, Jackson of Perry, Joy, Kelley, Krimmel, Lord, McDonald, Owens, Parker, Richards, Seitz, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—27.

So the House amendments were concurred in.

Mr. Lord moved that the majority and minority reports of the committee on Geological Survey be published in the Appendix to the Journal.

Which was agreed to.

Mr. Fisher moved that the motion to reconsider the vote whereby the nomination of J. H. Wade was lost be taken from the table.

Which was disagreed to.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President :

The House of Representatives has completed its business, and is ready to adjourn, in accordance with S. J. R. No. 93, by Mr. Forrest.

Attest:

L. A. BRUNNER, *Clerk.*

The hour fixed by joint resolution for the Sixty-third General Assembly to adjourn *sine die*, having arrived, the President addressed the Senate as follows:

Before declaring the Senate adjourned, I desire to return my grateful acknowledgment to the Senators and Officers of the Senate, for their uniform co-operation and courtesy during the time I have presided over your deliberations.

Entering upon the discharge of the duties with no experience in parliamentary deliberations, I have endeavored to discharge the duties faithfully and impartially; if I have committed errors, as I have no doubt I have, they have been errors of the head, and not of the heart.

The session just closing has been a long and laborious one. The result of your labors will amply justify, in my opinion, the time occupied. I have no doubt that the citizens of this State, when the result of your labors are known, will appreciate your valuable services. Your legislative work speaks for itself.

Our official connection is about to close, and in parting with you I bid one and all an affectionate good-bye, and may prosperity and happiness follow you in your journey through life. I shall ever look back upon my association with you, in the Sixty-third General Assembly, as one of the pleasantest pages in the history of my life.

The President then declared the Senate adjourned *sine die*.

Attest:

ALLEN O. MYERS, *Clerk.*

APPENDIX.

APPENDIX—A.

AMENDMENTS TO THE CODE.

The following are the portions of existing statutes which were overlooked and omitted in the codification, but which were assorted by the House and Senate as amendments :

SEC. 202. He shall appear for the state in the trial and argument of all causes, civil and criminal, in the supreme court, wherein the state may be directly interested ; and, when required by the governor or the general assembly, he shall also appear for the state in any court or tribunal in any cause to which the state is a party, or in which the state is directly interested ; and, upon the written request of the governor, he shall also prosecute any person indicted for any crime ; *and with the consent of the governor and auditor of state he may employ local counsel in civil actions in which the State is a party or interested, when, in his judgment, the interests of the state require the same to be done*, (50 Vol., 267, §§ 3, 4, 5 ; 73 Vol., 189, 191, § 1).

SEC. 284. Every insurance company doing business in this state shall publish, at least once a year, in some newspaper of general circulation, in every county where such company has an agent, a certificate from the superintendent of insurance that such company has, in all respects, complied with the laws of the state relating to insurance ; and the certificate shall also contain a statement, under the oath of the president or secretary of such insurance company, of the actual amount of paid-up capital, the aggregate amount of assets and liabilities, together with the aggregate income and expenditures of such company for the year preceding the date of such certificate ; a copy of which certificate shall be filed in the office of the recorder in each county in which the company has an agent ; *and for every such paper the recorder shall receive the sum of ten cents*. No other publication than as herein provided for is required of such companies, (69 Vol., 32, §§ 19, 21).

Strike out section 7, chapter 1, Primary Elections, title 14, part 1, Elections.

SEC. 2930. When an election for state, county and township officers, or any of them, takes place on the same day, it shall be held by the same judges and clerks of election, and the names of candidates for all of such offices shall be upon the same ballot ; and when an election for state, county, municipal and township officers, or any of them, takes place on the same day, it shall be held by the same judges and clerks of election, and the names of candidates for such offices shall be upon the same ballot, except that in a municipal corporation the limits of which are not co-extensive with the limits of the township, there may be separate ballots and ballot-boxes, and separate judges and clerks of the election for municipal officers, (75 Vol., 546, §§ 1, 2.)

COUNTY SEAT.

SEC. 3015. Any elector of a county in which a law for removing the county seat of such county has been submitted to the electors thereof for adoption, shall have the right to contest the validity of the vote given at the election in that behalf, upon the question of the adoption of such law, (54 Vol., 229, § 1.)

SEC. 3016. The elector so contesting shall, within twenty days after the day on which the election at which the question was submitted was held, file in the office of the probate judge of the county, notice of his intention to contest the validity of the vote, and shall, within the same time, file in said office, an undertaking to the state, to be approved by the probate judge, or, in case of his absence, disability, or refusal to act, by the clerk of the court of common pleas of the county, conditioned for the payment of all costs that accrue upon the contest, in the event that the result of the vote upon the question, as the same has been certified or returned, or otherwise made known, be not invalidated by and upon such contest; and it shall be competent for any other elector or electors of the county, under any such notice filed, as aforesaid, to file in said office, within the time aforesaid, a like undertaking, to be in like manner approved, and to proceed with such contest, under such notice, in accordance with the provisions of this chapter, in the event that the party filing the notice fails to prosecute the contest at any stage of the same, (54 Vol., 229, § 2.)

SEC. 3017. The probate judge or clerk, upon the filing in his office of such notice or undertaking, shall publish, in some newspaper of general circulation in the county, the fact of the filing of the notice and undertaking, and shall, without delay, forward to the governor duly certified copies of such notice and undertaking or undertakings; the governor, on the receipt of such copies, shall, without delay, appoint some competent disinterested person to serve as commissioner, and perform the duties herein prescribed in the matter of such contest; and in case of the death or disability of the commissioner, the governor may fill the vacancy, (54 Vol., 229, § 3.)

SEC. 3018. The commissioner so appointed by the governor shall be sworn truly and faithfully to discharge the duties required of him; and he shall, within ten days after being notified of his appointment, go to the office of the probate judge of the county, and, having notified the contestors, verbally or otherwise, of his presence, proceed, at said office, and at such other places in the county as he, in the further discharge of his duties, finds to be convenient and conducive to the ends of justice, to examine all such witnesses, as are produced or brought before him, and take their testimony in writing, touching the validity of the votes cast at such election upon the question of the adoption of the law, and touching the validity of the result of the election upon the question; may cause to be taken, or may personally take, in writing as aforesaid, the depositions of persons, such as he deems to be material in the determination of the contest, at any place out of the county, in such manner and before such authority as he prescribes, and for these purposes, is vested with full and competent power and authority to administer oaths to witnesses, and issue process of subpoena and attachments to compel the attendance of witnesses, and to inflict punishment for contempt thereof, as may be done by officers authorized to take depositions in civil actions; in executing his duties, the commissioner shall hold open ses-

sion; the commissioner is further vested with full power to preserve order whilst in the execution of his commission, and to punish for contempts in the same manner as courts of justice are by law authorized to do whilst in session; and he may command the services of the sheriff and other ministerial officers of the county, and employ the assistance of such clerks as are necessary to reduce to writing the evidence taken under his supervision, (54 Vol., 229, § 4.)

SEC. 3019. The commissioner shall close his duties in taking testimony within forty days after he reaches the office of the probate judge as herein provided; the evidence taken before him or by his direction, as herein provided, shall be properly certified by him and sealed up and filed in the office of the clerk of the court of common pleas of the county, properly indorsed by the commissioner, indicating that the package contains the evidence taken upon the contest; upon being so filed, the clerk of the court shall enter the case upon the appearance and trial dockets of said court in its proper order with other cases; and the court of common pleas, or the judge thereof, for the sub-district in which the county is situate, at the next regular term of the court, or at any earlier time, shall cause such package to be opened, preserved, and kept in such office, unless otherwise ordered by the court or judge, for the use and inspection of the parties to the contest, and their counsel, (54 Vol., 229, § 5.)

SEC. 3020. At the next term of said court, or any earlier day, if so ordered by the judge, the matter of said contest shall be brought to a final hearing before the court or judge, upon the law applicable to the case, and the evidence taken and filed as aforesaid, no part of which shall be rejected or overruled by reason of any mere technical objection to its form or the manner of taking or certifying the same; if, upon the hearing of the matter, the court or judge hearing the same find that illegal votes were cast at the election upon the question submitted, by reason whereof, or for any other reason to be found by the court or judge, the result of the election, or vote, as the same has been returned or certified, is contrary to what it would have been, but for such illegal votes or other reason so to be found, the court or judge shall enter and certify the same accordingly on the records of the court; if the court or judge, upon such hearing, find that the result of the election or vote would not, by reason of illegal votes or any other sufficient cause affecting its legality, have been contrary to the return thereof as certified, the court or judge shall certify and enter the same of record accordingly; and if, upon such finding by the court or judge, it appears that a majority of all the electors voting at the election, voted in favor of adopting the law, then, and not otherwise, the law shall be taken and held to be adopted, (54 Vol., 229, § 6.)

SEC. 3021. It shall be competent for the court or judge for sufficient cause, to continue the hearing of the contest, from time to time, until the same can be finally disposed of; and if the result of the election or vote drawn in question by the contest, is not changed by the final order or certificate of the court or judge, to be made as aforesaid, the costs and expenses of the contest, which shall be taxed by the clerk, subject to the order of the court, shall be adjudged against the contestors; but if the result be changed by said final order or certificate, the costs and expenses shall be paid out of the treasury of the county, out of any money not otherwise appropriated; and there shall be allowed to the commissioner for his services, to be taxed as costs, the sum of five dollars per day, for such time as he has been employed, and to all clerks employed to reduce the testimony to writing, two dollars per day, each, (54 Vol., 229, § 7.)

SEC. 3022. Any citizen of the county may appear as contestee in such case, and the commissioner shall cause subpoenas to be issued for all such witnesses as are requested by a party to the contest, (54 Vol., 229, § 8.)

SEC. 3362. No person or corporation shall willfully interfere with or obstruct any company engaged in laying the track of its road across any other railroad, if such company has fully complied with the law, and obtained the right to so lay its track; nor shall any person or corporation obstruct the full operation of any road so constructed; and the person or corporation violating the provisions of this section shall pay, for each day of such interference or obstruction, one thousand dollars, to be recovered by action in the name of the state, one-half of the recovery to go to the company so interfered with, and the other half to the county in which the interference occurs, and shall also be liable for damages to the party injured, (73 Vol., 160, §§ 1, 2.)

SEC. 3363. Any company which has been in existence for a period of three years, and has not commenced to build the road described in its articles of incorporation, or whose road having been commenced, has been abandoned for three years, may be dissolved by a vote of two-thirds of its stockholders, at a meeting called for that purpose by its president, notice of which must be published in each county through or into which the line of the proposed road passes, at least thirty days before such meeting is held, (69 Vol., 171, §§ 1, 2.)

SEC. 3364. When it becomes necessary for two or more railroads to cross any of the navigable waters of this state at or near the same point, by draw or swing-bridge, the companies or persons owning or controlling such roads shall, if practicable, use one and the same bridge, and approaches thereto; and the right to use any such bridge and its approaches, or other similar structure, so situate and used as to make it necessary for the companies or persons owning or operating two or more roads to agree upon a common use thereof, in order to comply with the provisions of this section, may, when such companies or persons cannot so agree, be appropriated by the company or persons owning or operating a road for which such use is desired, in accordance with the provisions of law authorizing the appropriation of private property to the use of corporations, (57 Vol., 10, § 1.)

SEC. 3365. The statement to be filed in such appropriation proceedings shall, as near as may be, set forth the regulations according to which the joint use of such bridge and approaches, or other structure, shall be regulated; and if the reasonableness of the same, or any part thereof, be denied by the defendant in the proceedings, the court shall hear and determine the issue, and enter on record its finding and order thereon, confirming or altering the regulations, as it may deem just and reasonable, subject to exceptions and reversal for error by the court of common pleas, on petition filed for that purpose; the order of the court fixing the regulations shall be made before the jury is impaneled to assess the amount of compensation for the right sought to be appropriated; and such compensation shall be a sum equal to the annual value of such use, to be paid quarterly each year, in advance, while the same continues, (57 Vol., 10, § 2.)

SEC. 3560. Every person who willfully or fraudulently injures, or suffers to be injured, any meter belonging to any gas company, or prevents any meter from duly registering the quantity of gas supplied through the same, or in any way hinders or interferes with its proper

action or just registration, or attaches any pipe to any main or pipe belonging to such company, or otherwise burns, or uses or causes to be used, any gas supplied by such company, without the written consent of an officer thereof, unless the same passes through a meter set by the company, or fraudulently burns the gas of the company, or wastes the same, shall, for every such offense, forfeit and pay to the company not more than one hundred dollars, to be recovered in an action brought by the company against such offender, and in addition thereto, shall pay the company the amount of damage by it sustained by reason of such injury, prevention, waste, consumption, or hindrance, (63 Vol., 164, §§ 13, 14.)

SEC. 3986. The board of each district may make and enforce such rules and regulations to secure the vaccination of, and to prevent the spread of small-pox among the pupils attending or eligible to attend the schools of the district, as in its opinion the safety and interest of the public require; and the boards of health and councils of municipal corporations, and the trustees of townships, shall, on application of the board of education of the district, provide at the public expense, without delay, the means of vaccination to such pupils as are not provided therewith by their parents or guardians, (69 Vol., 22, § 1.)

SEC. 4104. The board of education of the city may, upon the application of said board of directors, assess and levy a tax on the taxable property of the city, not exceeding one-tenth of one mill on the dollar valuation thereof, to be applied by the board of directors to the support of such university, college, or institution; and the board of education shall also assess and levy, annually, not less than three-hundredths nor more than five-hundredths of one mill on the dollar of such valuation, for the establishment and maintenance of an astronomical observatory, in connection with such university, college, or institution, the proceeds of which shall be paid to the board of directors, and applied by them for said purpose exclusively, (67 Vol., 86, § 5; 75 Vol., 133, § 1.)

SEC. 4752. No person possessed of the right to any water privilege shall be required to erect a bridge over any mill-race or water-course, excavated or constructed by such person across any public road or highway for hydraulic purposes; nor shall any person be required to keep in repair any bridge that has been or may hereafter be erected over any mill-race or water-course so excavated or constructed, (31 Vol., 27, § 1.)

SEC. 4753. When any public highway is hereafter laid out and established, the person possessed of any such right shall, within one year thereafter, file in the office of the auditor of the county a declaration of such right, in writing, describing the same, and setting forth therein the place at which, as near as practicable, he intends, at some future day, to excavate and construct a mill-race or water-course across such highway; which declaration shall be recorded by the auditor, and thereafter such right shall be considered valid in law, for the benefit of such person, his heirs, or assigns; but nothing in this section shall be so construed as to prevent any person possessed of such right from excavating and constructing a mill-race or water-course across any public highway that has been heretofore laid out and established, on giving the notice required by the next section, (31 Vol., 27, § 1.)

SEC. 4754. When any person excavates or constructs a mill-race across a public highway, he shall give at least thirty days' previous notice, in writing, to the trustees of the proper township, of his inten-

tion so to do ; and if he fail or neglect to give such notice, the supervisor of the proper road district may, if, in his opinion, the public good demands it, fill up such mill-race or water-course, at the cost of the party so failing and neglecting to give the notice, to be recovered by the supervisor, together with fifty per centum thereon, and the costs of suit, for the use of such road district, in an action before any court of competent jurisdiction, (31 Vol., 27, § 2.)

SEC. 4921. All money assessed and collected under the provisions of section 4919, which remains in the hands of the county treasurer, unexpended and unappropriated, for a period of six months after the annual September settlement for the fiscal year during which the tax was collected, shall be paid to the treasurer of the township or municipal corporation from which the same was collected, and shall be expended on the public roads, under the direction of the trustees of the proper township or municipal corporation, in such manner as may seem to them most advantageous to the interest of the township or corporation, for the construction, reconstruction, or repair of roads, and in building or repairing bridges, (70 vol., 118, § 1.)

SEC. 4899. They may contract for labor and material, either at public sale or private contract, as will best subserve the interests of the different roads, and shall certify to the county auditor, on or before the first Monday in June each year, the amount of money necessary, for the purpose of keeping such roads, including the bridges and culverts thereon, in good repair ; and when, in the opinion of the board, the interests of any of the roads require it, they may enter upon any lands in the county, and take the gravel or other material necessary for the repair of the roads, and shall give a certificate to the owner of such material so taken, which shall state the value thereof, together with the amount of damage to the lands by reason of the removal of such material ; and the county auditor, upon the presentation of such certificate, shall issue an order on the county treasurer for the amount so certified, who shall pay the same out of the turnpike fund, (75 Vol., 32, § 1 ; 66 Vol., 133, § 12 ; 68 Vol., 91, § 1.)

SEC. 1157. The recorder shall receive the following fees : For recording a mortgage, deed of conveyance, power of attorney, or other instrument of writing, twelve cents for every hundred words, actually written on the record, and ten cents for indexing the same, to be paid on the presentation of such instrument for record ; for certified copy from the record, twelve cents for every hundred words ; for recording assignment or satisfaction of mortgage, or discharge of a soldier, twenty-five cents ; for every search of the record, without copy, fifteen cents ; *for recording any plat, not exceeding six lines, one dollar, and for each additional line, five cents*, (62 Vol, 123, § 5 ; 51 Vol., 283, § 1 ; 56 Vol., 10, § 2 ; 64 Vol., 62, § 1.)

SEC. 1162. Neither the recorder, nor any deputy or employe, shall take the acknowledgment of any instrument required to be filed or recorded in his office, (73 Vol., 205, § 1.)

SEC. 1215. The books, by this chapter required to be kept, shall not be removed from the sheriff's office, but shall be delivered over, without mutilation, as public property, to each succeeding sheriff, or in case of a vacancy, to the coroner ; and any sheriff, or coroner acting as sheriff, who fails, neglects, or refuses to comply with this or the next preceding section, shall, on indictment, be fined in any sum not exceeding one thousand dollars, and also be liable for all damages caused by such failure, neglect, or refusal, (65 Vol., 115, §§ 2, 4, 5.)

Add to original section 21, chapter 9, title 8, part 1, the following:
New section 1260: "for indexing judgments and final orders, for each case, fifteen cents."

APPENDIX—B.

MAJORITY AND MINORITY REPORTS OF THE JOINT COMMITTEE ON GEOLOGICAL SURVEY.

MAJORITY REPORT.

Mr. Dungan submitted the following report:

The committee on Geological Survey, upon the matters suggested in the Governor's message, report, that Professors Orton, Andrews, Newberry and Whittlesey, who had taken part in the preparation of the geological work, S. A. Miller, an eminent paleontologist, Mr. W. W. Bond, then Supervisor of State Printing, and others, were before the committees of the Senate and House, and after as full examination as was given to the matters mentioned in the Governor's message, we find:

1. That the geological survey has been extended over a much longer time than was originally anticipated and promised.

2. That its cost has very greatly exceeded the amount originally contemplated.

3. That the work is unsatisfactory to some of the best geologists of the State.

4. That the law of 1869, creating the survey, clearly intended a work whose results should have reference chiefly to the resources of the State, from an economic stand-point, while general science was meant to be a subordinate matter; but, in fact, paleontology and general science, most of it merely theoretical and interesting only to scientists, has been given the chief place, and economic geology has been put in the background. The volumes on paleontology, that can by no possibility be of interest to one-tenth the number of people that would appreciate volumes on geology, have been issued in equal numbers, and at much greater cost for plates, etc.

5. We could find no one, from Prof. Newberry, who has had charge of the whole work, down, who knew what had become of the expensive plates used for the work; and

6. That large and important coal and other mineral fields in the district, directly under the charge of Prof. Newberry, have been neglected or very insufficiently treated, as in Coshocton, Tuscarawas and Stark counties.

We find that the progress and completeness of the work has been seriously impeded by the selection of a chief geologist, who is not a resident of the State.

There yet remains some work that should be done, and as under the act of May 3, 1873, (Vol. 70, p. 250), there has been no law authorizing any one to do anything in connection with this work since February 15, 1874, we recommend that the completion of the work be entrusted to some competent man, resident of Ohio, who shall revise the work before final publication.

JAMES W. OWENS,
IRVINE DUNGAN,

W. H. STOKES,
JOHNSON SHERRICK.

MINORITY REPORT.

Mr. Lord submitted the following as a minority report:

The committee on Geological Survey, to whom was referred the message of the Governor in regard to the geological survey of the State, having had the same under consideration, and having, in connection with the committee on Geology, Mines and Mining of the House of Representatives, to whom the same subject-matter was referred by the House, heard the statements of the members of the Geological Corps and others in regard thereto, submit the following report:

1. That the field-work of said survey has been completed, and that the result of the labors to be embodied in the reports, as heretofore directed by the Geological Board, is substantially in readiness for publication.

2. That no further appropriations will be needed, except to pay for the publication of the remaining volumes of the final report now ready or in preparation for that purpose.

3. That the survey, in the opinion of the committee, has been ably and economically conducted, and that the large expenditure of money has been wise and judicious, and that it will prove largely remunerative by directing public attention to the mineral resources of the State, and the consequent development of the same.

4. The committee having no means of ascertaining the originally contemplated cost of the survey, are unable to state whether the expenditures have been in excess of the amount contemplated when the act authorizing the survey was passed, hence, make no finding in regard to the same.

The committee having considered all matters referred to in said message, therefore ask to be relieved from further consideration of the subject.

H. C. LORD,
J. R. JOHNSTON,
LINDSEY KELLEY.

APPENDIX—C.

QUESTIONS OF ORDER.

PAGE 114.

Mr. Sherrick offered the following resolution :

S. R. No. 83 : *Resolved*, That the use of the Senate Chamber be granted to the society of veterans of the Mexican war, for the 22d of February, 1879, for their reunion to be held in this city on that day.

Mr. Owens raised to a point of order, and claimed if there was a single objection the resolution could not be adopted.

Mr. Sherrick moved that the rules of the Senate be suspended.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 19, nays 7, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Benson, Carlisle, Dungan, Grove, Jackson of Clinton, Kelley, McDonald, Parker, Richards, Sabine, Saltzgaber, Seitz, Sherrick, Stokes, Tyler, Williams and Wilson—19.

Those who voted in the negative were—

Messrs. Carson, Fisher, Forrest, Krimmel, Lord, Owens and Wagener—7.

So the motion was agreed to.

The question being on the adoption of the resolution, the yeas and nays were taken, and resulted—yeas 17, nays 10, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Benson, Carlisle, Dungan, Howland, Jackson of Clinton, Kelley, McDonald, Parker, Richards, Saltzgaber, Sherrick, Stokes, Tyler, Williams and Wilson—17.

Those who voted in the negative were—

Messrs. Carson, Curtiss, Fisher, Forrest, Grove, Krimmel, Lord, Owens, Seitz and Wagener—10.

So the resolution was adopted.

PAGES 236 AND 237.

S. B. No. 308—Mr. Forrest—To revise and consolidate the general statutes of Ohio.

Mr. Sherrick moved that the constitutional rule be suspended, that said S. B. No. 308 might be read the first time by its title.

Mr. Johnston raised the point of order, that after the Clerk had commenced the reading of a bill, by reading the words "A Bill," that a motion to suspend the rules was out of order.

The President held that the point of order was not well taken.

The question being on Mr. Sherrick's motion to suspend the rules, the yeas and nays were taken, and resulted—yeas 20, nays 11, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Benson, Carson, Curtiss, Dungan, Fisher, Forrest, Grove, Jackson of Clinton, Jackson of Perry, Krimmel, Marsh, Parker, Seitz, Sherrick, Steedman, Stokes, Tyler, Wagener and Williams—21.

Those who voted in the negative were—

Messrs. Beer, Howland, Irvine, Johnston, Kelley, Lord, McDonald, Owens, Richards, Sabine and Wilson—11.

So the motion was disagreed to.

PAGE 360.

Mr. Krimmel moved to reconsider the vote whereby S. B. No. 239 was lost.

Mr. Curtiss raised the point of order, that the motion was not in order, there being no quorum present.

The President decided the point of order well taken, and declared the Senate adjourned until Monday morning at 10 o'clock.

PAGES 424 AND 425.

Mr. Saltzgaber moved to refer H. B. No. 131 to a select committee of one, with instructions to amend as follows :

By striking out of line 4, "general revenue," and insert after "fund": "appropriated to pay the *per diem* and mileage of members of the General Assembly"; and insert at the end of section 1: "and said sum shall be deducted from the *per diem* of members of the General Assembly in a ratable proportion."

Mr. Wilson raised the point of order, that said proposed amendment was not germane to the subject-matter of the bill, and therefore out of order.

The President declared the point of order well taken, and that the proposed amendment was out of order.

Mr. Forrest appealed from said decision of the President.

The question being "Shall the decision of the President stand as the sense of the Senate?" the yeas and nays were demanded, taken, and resulted—yeas 21, nays 7, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Curtiss, Grove, Irvine, Jackson of Perry, Johnston, Joy, Kelley, Lord, Marsh, Owens, Richards, Sabine, Steedman, Tyler, Wagener and Wilson—21.

Those who voted in the negative were—

Messrs. Carson, Fisher, Forrest, Parker, Saltzgaber, Seitz and Stokes—7.
So the decision of the President was sustained.

PAGE 523.

Mr. Carlisle moved that the vote whereby the Senate refused to confirm the appointment of Chas. S. Muscroft, Sr., be reconsidered.

Mr. Seitz moved that the Senate take a recess.

Which was disagreed to.

On motion of Mr. Seitz, the Senate took a recess until 2½ o'clock P.M.

TWO AND ONE-HALF O'CLOCK P.M.

When the Senate took a recess, the pending question was on the motion of Mr. Carlisle, to reconsider the vote whereby the confirmation of the appointment of Dr. Chas. S. Muscroft, Sr., was lost.

Mr. Owens raised the point of order, that Mr. Carlisle could not make the motion to reconsider, as he did not vote with the majority on said confirmation.

The President ruled that the point of order was well taken, and that the motion was out of order.

PAGES 594 AND 595.

Mr. Marsh moved to take from the table the report of the committee appointed under S. R. No. 89, to investigate Longview Asylum.

Which was agreed to.

The question being on Mr. Forrest's motion, to recommit said report to said committee, with instructions—

Mr. Wilson moved to amend said motion as follows:

At the end thereof, add: "but the committee shall not be required to omit from their report the following words, to wit: 'whilst there was no testimony before the committee indicating that the dissatisfaction and complaints had any connection with or was the outgrowth of political feeling, yet there are indications which lead us to believe that this influence has had a tendency to embarrass and prevent the successful management of the institution, and we take this occasion of condemning the practice of reorganizing the charitable institutions of the State for purely political purposes. We believe that such institutions should be kept free, as far as possible, from political influences, and that no officer or employe who is competent and faithful shall be discharged on account of his political sentiments. The sooner such institutions are completely and thoroughly divorced from politics, the better it will be for all interested, and we believe that the full measure of efficiency cannot be attained until this is accomplished.'"

Mr. Owens raised the point of order, that said motion was out of order, not being properly an amendment to the pending motion.

Pending the consideration of which, on motion of Krimmel, the Senate took a recess.

THREE O'CLOCK P.M.

When the Senate took a recess, it had under consideration the report of the special committee appointed under S. R. No. 89, the pending question being Mr. Owens' point of order, on Mr. Wilson's proposed motion to amend Mr. Forrest's motion to recommit.

The President decided the point of order not well taken.

PAGES 843 AND 844.

Mr. Sherrick moved that Senate Rule No. 36 be suspended, to enable the Senate to reconsider action on certain matters that took place more than two days since.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 19, nays 9, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Benson, Carson, Fisher, Forrest, Grove, Jackson of Perry, Joy, Krimmel, McDonald, Parker, Saltzgaber, Seitz, Sherrick, Steedman, Stokes, Tyler, Wagener and Williams—19.

Those who voted in the negative were—

Messrs. Beebe, Beer, Curtiss, Howland, Kelley, Lord, Richards, Sabine and Wilson—9.

The President decided the motion agreed to, when his attention was called to Senate Rule No. 64, that the motion required a majority of two-thirds of those present.

Whereupon, the President directed a call of the Senate, and thirty-one Senators answered to their names.

So the motion was declared to be disagreed to, the President deciding that two-thirds of the Senators present did not vote in favor of said motion.

On demand of Mr. Sherrick, a call of the Senate was had.

Thirty-two Senators answered to their names.

Messrs. Carlisle, Dungan and Johnston were absent.

Mr. Curtiss moved that further proceedings under the call be dispensed with.

Which was disagreed to.

Mr. Carlisle, by unanimous consent, was granted leave of absence, on account of sickness.

Mr. Seitz moved that the Sergeant-at-Arms be dispatched for absentees.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 15, nays 12, as follow :

Those who voted in the affirmative were—

Messrs. Benson, Carson, Fisher, Grove, Joy, Marsh, McDonald, Saltzgaber, Seitz, Sherrick, Steedman, Stokes, Tyler, Wagener and Williams—15.

Those who voted in the negative were—

Messrs. Beebe, Beer, Curtiss, Forrest, Howland, Jackson of Clinton, Jackson of Perry, Kelley, Lord, Richards, Sabine and Wilson—12.

So the motion was agreed to.

Mr. Dungan having appeared within the bar of the Senate and answered to his name—

On motion of Mr. Seitz, further proceedings under the call were dispensed with.

Mr. Owens moved that Messrs. Dungan and Jackson of Perry be granted leave of absence to prepare a report of a Conference committee.

Which was agreed to.

Mr. Fisher moved that the vote whereby Mr. Sherrick's motion, to suspend Senate Rule No. 36, was lost, be reconsidered.

Which was agreed to.

The question recurring on Mr. Sherrick's motion to suspend Rule No. 36—

Mr. Jackson of Perry moved to lay said motion on the table.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 21, nays 10, as follow :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Curtiss, Forrest, Howland, Jackson of Clinton, Jackson of Perry, Joy, Kelley, Krimmel, Lord, Marsh, McDonald, Owens, Richards, Sabine, Saltzgaber, Stokes, Tyler and Wilson—21.

Those who voted in the negative were—

Messrs. Benson, Carson, Dungan, Fisher, Irvine, Parker, Seitz, Sherrick, Steedman and Wagener—10.

So the motion was agreed to.

Appendix.
APPENDIX—D.

ABSTRACT OF VOTES POLLED IN THE STATE OF OHIO AT THE ANNUAL ELECTION HELD

Number.	Counties.	Secretary of State.				
		Milton Barnes.	David R. Paige.	J. N. Robinson.	Andrew Roy.	Scattering.
1	Adams	2349	2549	9	7	.....
2	Allen	1871	2857	4	230	.....
3	Ashland	2335	2838	8	2	.....
4	Ashtabula	4984	1518	197	359	.....
5	Athens	2687	1731	327	447	.....
6	Auglaize	1028	2416	.....	185	.....
7	Belmont	3953	4278	8	689	.....
8	Brown	2228	3835	.....	187	.....
9	Butler	2737	5027	17	52	.....
10	Carroll	1904	1354	5	98	.....
11	Champaign	3282	2425	119	57	.....
12	Clarke	4142	2857	500	244	.....
13	Clermont	2932	3725	1	1029	.....
14	Clinton	3103	1927	71	1	8
15	Columbiana.....	4395	2976	16	868	.....
16	Coshocton	2338	2877	20	108	.....
17	Crawford	1924	3489	113	258	.....
18	Cuyahoga	12849	8111	685	5743	.....
19	Darke	2980	4202	20	254	.....
20	Defiance	1077	2149	.....	285	.....
21	Delaware	2832	2585	352	78	.....
22	Erie	2600	2558	11	524	.....
23	Fairfield	2557	4365	9	.....	.....
24	Fayette	2330	1936	.....	63	11
25	Franklin	6555	8371	143	1142	1
26	Fulton	2013	1299	17	582	.....
27	Gallia	2801	2251	10	4	.....
28	Geauga	2235	492	36	190	.....
29	Greene	3380	1886	89	37	.....
30	Guernsey	2843	2320	25	118	.....
31	Hamilton	25622	24458	8	503	.....
32	Hancock	2363	2804	8	362	.....
33	Hardin	2908	2786	96	6	.....
34	Harrison	2129	1739	11	90	.....
35	Henry	767	1863	.....	507	.....
36	Highland	3191	3338	7	.....	.....
37	Hocking	1355	1820	.....	272	.....
38	Holmes	904	2404	2	17	.....
39	Huron	3366	1514	136	1814	.....
40	Jackson	2294	2011	34	66	.....
41	Jefferson	3254	2156	49	525	.....
42	Knox	2493	3072	189	601	.....
43	Lake	2172	958	2	356	.....
44	Lawrence	3282	2312	32	382	.....
45	Licking	3061	4650	63	907	.....
46	Logan	2761	1989	99	42	.....
47	Lorain	4398	2018	99	485	.....
48	Lucas	3294	3521	11	3993	.....

ON THE EIGHTH DAY OF OCTOBER, A.D. 1878, TAKEN FROM THE OFFICIAL RETURNS.

Judge of the Supreme Court.					Member of the Board of Public Works					Total number of votes.	Number.
William White.	Alexander F. Hume.	William F. Ross.	Chilton A. White.	Scattering.	George Paul.	Rush H. Field.	Delmont Locke.	J. R. Fallis.	Scattering.		
2334	2549	9	10	.....	2353	2544	9	.....	7	4957	1
1873	2856	4	228	.....	1874	2855	4	229	.....	4975	2
2335	2836	8	7	.....	2334	2839	8	7	.....	5205	3
4984	1513	200	361	.....	4982	1514	199	363	.....	7139	4
2692	1767	323	437	.....	2691	1740	322	437	.....	5208	5
1027	2419	.....	186	.....	1026	2419	.....	186	.....	3691	6
3931	4250	7	685	.....	3929	4250	7	686	.....	8887	7
2157	3865	.....	179	.....	2230	3832	.....	187	.....	6266	8
2355	5347	14	40	.....	2718	5046	15	51	.....	7907	9
1899	1351	5	100	.....	1907	1361	5	100	.....	3359	10
3292	2439	116	57	.....	3266	2466	107	57	.....	5918	11
4737	2345	425	237	.....	4130	2856	488	245	.....	7799	12
3026	3729	1	859	1	2934	3723	1	1030	...	7724	13
3098	1927	70	2	.....	3094	1927	69	1	3	5131	14
4401	2974	17	860	.....	4398	2979	17	856	.....	8277	15
2339	2905	21	88	.....	2334	2901	21	87	.....	5344	16
1920	3494	113	258	.....	1911	3500	114	258	.....	5798	17
12789	8088	694	5726	.....	12741	8259	691	5625	.....	27400	18
2975	4203	20	259	.....	2989	4200	20	261	.....	7493	19
1073	2149	.....	288	.....	1079	2149	.....	289	.....	3517	20
2828	2588	354	75	.....	2831	2590	356	71	.....	5880	21
2615	2535	11	526	.....	2596	2553	11	529	.....	5702	22
2552	4373	9	.....	.....	2547	4378	9	.....	.....	6946	23
2333	1938	.....	53	20	2333	1938	.....	63	.....	4298	24
6542	8400	149	1112	.....	6480	8442	154	1115	.....	16288	25
2015	1299	14	582	.....	2013	1390	14	583	.....	3936	26
2802	2255	9	1	.....	2801	2256	9	.....	.....	5084	27
2239	492	36	188	.....	2235	490	36	193	.....	2962	28
3364	1888	77	38	.....	3378	1892	89	38	.....	5479	29
2761	2394	29	121	.....	2754	2395	29	124	.....	5317	30
25563	24483	8	498	.....	25634	24439	8	497	.....	51195	31
2364	2805	8	362	.....	2362	2805	8	363	.....	5535	32
2907	2783	95	4	.....	2905	2787	95	4	.....	5804	33
2130	1741	11	89	.....	2127	1744	10	76	.....	3976	34
765	1867	.....	505	.....	763	1866	.....	514	.....	3146	35
3190	3337	7	1	.....	3186	3337	5	.....	.....	6556	36
1356	1806	.....	296	.....	1355	1802	.....	697	.....	3481	37
908	2400	2	17	.....	904	2402	2	17	.....	3330	38
3365	1512	137	1813	.....	3368	1513	137	1806	.....	6849	39
2306	2012	34	54	.....	2305	2014	34	52	.....	4407	40
3259	2160	49	516	.....	3262	2157	50	514	.....	6005	41
2472	3079	194	609	.....	2471	3078	197	609	.....	6376	42
2242	831	2	405	4	2245	835	2	405	.....	3501	43
3283	2275	32	429	.....	3281	2279	34	431	.....	6040	44
3009	4685	66	830	1	3004	4681	64	832	.....	8615	45
2765	1981	112	37	.....	2755	1985	102	44	.....	4914	46
4411	2007	96	487	.....	4399	2014	103	488	.....	7027	47
3274	3522	11	4001	.....	3222	3536	11	4040	.....	10860	48

ABSTRACT OF VOTES POLLED IN THE STATE OF OHIO AT THE ANNUAL

Number.	Counties.	Secretary of State.				
		Milton Barnes.	David R. Paige.	J. N. Robinson.	Andrew Roy.	Scattering.
49	Madison	2093	2137	108	28	.....
50	Mahoning	3562	2684	.....	1184	.....
51	Marion	1770	2196	46	61	.....
52	Medina	2609	1781	49	71	.....
53	Meigs	3678	2425	99	236	.....
54	Mercer	860	2182	.....	5	.....
55	Miami	3814	2834	93	87	.....
56	Monroe	1048	2947	3	86	.....
57	Montgomery	7367	8572	127	254	.....
58	Morgan	2169	2041	146	43	.....
59	Morrow	2126	1855	172	164	.....
60	Muskingum	4584	4828	60	495	6
61	Noble	1719	1808	24	527	.....
62	Ottawa	739	1985	.....	588	.....
63	Paulding	1171	1097	.....	67	.....
64	Perry	1916	2620	.....	823	.....
65	Pickaway	2303	3304	2	97	.....
66	Pike	1314	2016	39	103	.....
67	Portage	3221	2451	73	408	.....
68	Preble	2595	2396	244	31	.....
69	Putnam	1110	2548	.....	162	.....
70	Richland	2928	3840	77	61	.....
71	Ross	3915	4070	.....	292	.....
72	Sandusky	1912	2718	40	1504	.....
73	Scioto	3179	2973	9	26	.....
74	Seneca	3345	4210	.....	544	.....
75	Shelby	1614	2340	5	263	.....
76	Stark	5455	5255	69	969	.....
77	Summit	3923	3200	121	763	1
78	Trumbull	4299	2152	109	852	.....
79	Tuscarawas	2677	3578	8	687	.....
80	Union	2436	1590	184	5	.....
81	Van Wert	2116	2214	6	52	.....
82	Vinton	1450	1795	.....	17	.....
83	Warren	3798	2322	18	6	.....
84	Washington	3626	3861	44	460	1
85	Wayne	3708	4165	5	230	.....
86	Williams	2269	2280	5	269	.....
87	Wood	2901	2690	27	1041	.....
88	Wyandot	1907	2448	12	2	.....
	Totals	274,120	270,966	5682	38,332	28

ELECTION HELD ON THE EIGHTH DAY OF OCTOBER, A.D. 1878—Continued.

Judge of the Supreme Court.					Member of the Board of Public Works					Total number of votes.	Number.
William White.	Alexander F. Hume.	William F. Ross.	Chilton A. White.	Scattering.	George Paul.	Rush H. Field.	Delmont Locke.	J. R. Fallis.	Scattering.		
2099	2136	90	26	.....	2097	2138	90	27	.....	4365	49
3647	2700	.....	1092	.....	3644	2700	.....	1093	.....	7223	50
1755	2208	48	61	.....	1763	2200	50	61	.....	4088	51
2619	1783	44	68	.....	2615	1785	43	67	.....	4539	52
3690	2421	100	229	.....	3689	2421	100	230	.....	6453	53
859	2185	.....	5	.....	861	2182	.....	5	.....	3129	54
3810	2834	100	85	.....	3804	2859	106	86	.....	6850	55
1080	2949	3	87	.....	1078	2948	3	89	.....	4148	56
7352	8580	126	258	.....	7350	8533	130	257	.....	16335	57
2168	2048	141	43	.....	2167	2048	140	43	.....	4410	58
2128	1854	174	161	3	2124	1857	172	163	2	4338	59
4542	4868	49	500	6	4499	4904	51	505	6	9997	60
1709	1811	34	526	.....	1706	1812	35	527	.....	4078	61
736	1986	.....	588	.....	735	1985	.....	589	.....	3317	62
1171	1097	.....	68	.....	1170	1097	.....	68	.....	2335	63
1905	2621	.....	835	.....	1923	2625	.....	833	.....	5359	64
2302	3307	2	97	.....	2299	3309	2	97	.....	5713	65
1312	2016	40	104	.....	1313	2015	39	103	.....	3472	66
3232	2436	73	410	.....	3230	2442	73	407	.....	6159	67
2503	2498	232	27	.....	2593	2400	239	30	.....	5285	68
1109	2546	.....	164	.....	1106	2545	.....	166	.....	3828	69
2924	3834	78	64	.....	2867	3886	77	60	.....	6907	70
3922	4065	.....	287	.....	3907	4073	.....	291	.....	8297	71
1909	2718	40	1506	.....	1903	2721	40	1508	.....	6187	72
3179	2974	8	26	.....	3180	2975	8	26	.....	6206	73
3346	4215	.....	539	.....	3300	4261	.....	536	.....	8044	74
1611	2345	5	262	.....	1600	2353	5	256	.....	4222	75
5507	5256	71	909	.....	5450	5321	69	905	.....	17729	76
4049	2991	131	899	1	4254	2819	126	859	.....	8108	77
4396	2154	110	754	.....	4390	2153	110	757	.....	7473	78
2691	3569	9	681	.....	2658	3609	8	670	.....	6972	79
2432	1593	184	5	.....	2428	1594	186	5	.....	4227	80
2118	2213	6	51	.....	2120	2209	6	52	.....	4397	81
1454	1795	.....	11	.....	1454	1795	.....	11	.....	3267	82
3784	2331	17	5	.....	3800	2320	18	6	.....	6155	83
3627	3857	46	460	.....	3630	3873	46	466	.....	7992	84
3730	4173	3	203	.....	3725	4173	3	203	.....	8136	85
2271	2280	5	269	.....	2271	2280	5	269	.....	4830	86
2900	2685	27	1043	.....	2894	2687	28	1045	.....	6668	87
1902	2452	12	2	1902	2452	11	2	4382	88
274,337	270,839	5607	37,926	36	273,927	271,178	5685	38,033	18	591,088	

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IN preparing the Index, the Clerk has made it his study and object to make it as brief as possible, and has avoided the errors of many of his predecessors, who seemed to think that the length of an index was the best evidence of its merits. In some Journal indexes the same subject has been indexed many times, and the index for this reason has become so cumbersome, and inconvenient, that an index to the index became almost a necessity. In this index every subject in the Journal is entered *once!* All matters relating to legislation, will be found in the tables under the head of "bills" and "resolutions."

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No.	AUTHOR AND TITLE.	In- troduced.	Referred.	Reported.	Amended.	On Table.	Passed the Senate.	Recon- sidered.	Indefinite- ly post- poned or lost.	Enrolled and signed.
292	Mr. Owens—To authorize the Council in Newark to trans- fer money	190	196	210	.....	.....	210	.....	.....	369
293	Mr. Forrest—To exempt certain property from seizure.....	191	196	331	331	.....	350	.....	.....	765, 781
294	Mr. Steedman—Relating to the transportation of grain.....	192	196	245	245, 246	.....	250	.....	.....	783, 785
295	Mr. Wilson—Sub-dividing the Fifth Common Pleas district	192	196, 607	224, 635	607, 683	635	235	.....	.....	618
296	Mr. Jackson of Perry—Relating to the alteration of plats....	201	212	255	525, 584	527	270	.....	.....	.....
297	Mr. Carlisle—Relating to the Girls' Industrial School	201	213	.....	.....	.....	.....	.....	.....	.....
298	Mr. Benson—For the better protection of contractors and material men.....	214	218	.....	.....	.....	.....	.....	.....	.....
299	Mr. Johnston—Relating to bets, wagers and pool's.....	214	218	.....	.....	.....	.....	.....	.....	.....
300	Mr. Johnston—To repeal sections seven, eight and nine, of chapter one title four.	218	222	244	276	.....	244	.....	.....	332, 334
301	Mr. Benson—Relating to crimes.....	219	222	304	314, 560	314	.....	.....	561	.....
302	Mr. Dungan—To prevent discriminations on railroads.....	222	232	384	.....	.....	.....	.....	.....	404, 406
303	Mr. Sabine—To authorize Marion county to borrow money	222	2 2	278	.....	.....	291	.....	.....	.....
304	Mr. Steadman—To protect property against thieves.....	222	232	.....	.....	.....	.....	.....	.....	.....
305	Mr. Saltzgeber—To transfer funds in Allen county	222	232	.....	.....	.....	239	.....	.....	332, 334
306	Mr. Curtiss—To amend the act relating to civil procedure..	236	245	330	331	.....	350	.....	.....	480, 481
307	Mr. Forrest—In relation to quarantine	236	245	258	258, 272	.....	273	.....	.....	.....
308	Mr. Forrest—To consolidate the general statutes.....	236	238, 280, [328]	280, 846	336, 343, 846, [847, 848, 849, [850, 851, 852]	.....	.....	.....	.....	871, 872
309	Mr. Krimmel—For the relief of S. N. Field.....	252	254	327	.....	349	344	.....	.....	.....
310	Mr. Sabine—For the relief of the heirs of R. W. Davis.....	252	254	276	.....	.....	778	349	349	404, 406
311	Mr. Owens—To prevent resorting to distant courts to op- press citizens of Ohio.....	252	254	515	.....	.....	521	.....	.....	.....
312	Mr. Seitz—Relating to written obligations.....	253	254	372	.....	.....	.....	.....	372	.....
313	Mr. Forrest—Relating to Justices of the Peace.....	258	265, 777	368, 782	777, 782	.....	368	.....	.....	823, 824
314	Mr. Richards—Relating to taxation.....	262	272	.....	.....	.....	.....	.....	.....	.....
315	Mr. Richards—To transfer funds in Jefferson county	264	265	354	.....	.....	358	.....	.....	473, 481
316	Mr. Steedman—Relating to taxes and assessments	271	282	.....	.....	.....	.....	.....	.....	.....
317	Mr. Curtis—Relating to insurance companies.....	276	282	302	302	.....	315	.....	.....	.....
318	Mr. Richards—To improve the streets of Salem, Columbiana county.....	280	282	304	304, 599, 760	.....	314	.....	.....	765, 781
319	Mr. Williams—To issue bonds in Woodfield.....	280	282	515	520	599	520	.....	.....	600
320	Mr. Saltzgeber—To amend the code of civil procedure.....	283	285	.....	.....	.....	.....	.....	.....	.....
321	Mr. Carlisle—Relating to crimes and offenses.....	283	285	.....	.....	.....	.....	.....	.....	.....
322	Mr. Steedman—Relating to the Board of Public Works.....	293	301	374	374	.....	376	.....	.....	.....
323	Mr. Beebe—To transfer funds in Summit county.....	293	295	515	749	.....	521	.....	.....	783, 785
324	Mr. Jackson of Perry—To transfer funds in Perry county	293	295	302	.....	.....	363	.....	.....	404, 406
325	Mr. Steedman—To change the fourth judicial district.....	294	295	565	566	583	.....	583	583	.....
326	Mr. Dungan—To establish courts of conciliation.....	294	301	.....	.....	.....	.....	.....	.....	.....
327	Mr. Steedman—Relating to municipal corporations.....	298	301	352	.....	.....	352	.....	.....	.....
328	Mr. Curtiss—Relating to boards equalization.....	302	313, 582	403, 596	581, 596	.....	423	.....	.....	605

BILLS OF THE SENATE—CONTINUED.

No.	AUTHOR AND TITLE.	In- troduced.	Referred.	Reported.	Amended.	On Table.	Passed the Senate.	Recon- sidered.	Indefinite- ly post- poned or lost.	Enrolled and signed.
329	Mr. Tyler—Relating to free turnpikes.....	337	349	358	469		38			480, 481
330	Mr. Lord—Relating to municipal corporations.....	337	349	443	443		449			599, 600
331	Mr. Lord—Relating to insolvent railroad companies.....	355	357	560					560	
332	Mr. Lord—For the protection of property held in trust.....	355	357							
333	Mr. Seltzgeber—To amend the Probate code.....	355	357	559					559	
334	Mr. Owens—For the repair of Court-houses injured by fire.....	366	370	372	371		373			383, 384
335	Mr. Dungan—In relation to the poor.....	383	387	391	391		393			
336	Mr. Jackson of Clinton—Relating to roads and highways.....	384	387	428			430			784
337	Mr. Owens—To transfer funds in Delaware county.....	388	392	402			423			
338	Mr. Beer—In relation to lighting streets in Ashland.....	388	392	402			423			
339	Mr. Curtiss—Relating to wool-growers.....	393	400	402	402, 547		411			557
340	Mr. Joy—Relating to procedure in Common Pleas Courts.....	393	401	628	628		645			783, 785
341	Mr. Johnston—To levy a tax in Mahoning county.....	401	411	412	536		423			540, 551
342	Mr. Tyler—To provide for distributing the statutes.....	401	411							
343	Mr. Jackson of Perry—Relating to amendments to the Con- stitution.....	407								
344	Mr. Steedman—Relating to taxes and assessments.....	418	421		419		47			429, 433
345	Mr. Wagener—To repeal a certain act therein named.....	428	430	496			496			
346	Mr. Kelley—To preserve the purity of elections.....	429	430							
347	Mr. Parker—Relating to municipal corporations.....	434	435	441			442			
348	Mr. Forrest—Relating to collisions on railroads.....	462	463							
349	Mr. Steedman—Relating to municipal corporations.....	495	500							
350	Mr. Wagener—For the removal of the county seat of Bel- mont county.....	500	501	565		574, 638	721	638	633	599, 600
351	Mr. Jackson of Clinton—Relating to a school district.....	501	501	532	602		533			
352	Mr. Steedman—Relating to street railroads.....	502	519							
353	Mr. Armstrong—Relating to the Public Works.....	507	519	721	721				753	
354	Mr. Tyler—Relating to incorporated villages.....	514	519	528	532		532			784, 785
355	Mr. Parker—Relating to election precincts.....	514	519	544			553			664, 667
356	Mr. Benson—Relating to hospitals for the insane.....	521	525	632		646				
357	Mr. Seltzgeber—Relating to the distribution of the laws.....	521	525	583	584		584			
358	Mr. Benson—Relating to crimes and offenses.....	528	530, 608	544, 662, 800	547, 608, 662, [800]					
359	Mr. Sabine—Relating to a school district.....	542	553	566	566		544			823, 824
360	Mr. Beer—For the relief of Arcus Runfield.....	552	553	558	558		571			784, 785
361	Mr. Forrest—Relating to taxation.....	560	561				562			783, 785
362	Mr. Owens—To authorize the issue of bonds.....	572	572	630	646		646			
363	Mr. Tyler—Relating to municipal corporations.....	578	582	632	632, 777		646			823, 824
364	Mr. Curtiss—To authorize the borrowing of money in Cuya- hoga county.....	578	582	594			594			665, 668
365	Mr. Forrest—To repeal an act to revise the statutes.....	578	583, 793	594, 811, 828	708, 715, 716, [793, 828, 829]		716			
366	Mr. Jackson of Perry—To pension soldiers of the Mexican war.....	583	592			628, 830				

BILLS OF THE SENATE—CONTINUED.

No.	AUTHOR AND TITLE.	In- troduced.	Referred.	Reported.	Amended.	On Table.	Passed the Senate.	Recon- sidered.	Indefinite- ly post- poned or lost	Enrolled and signed.
367	Mr. Grove—Relating to township cemeteries.....	583	592	712	712	713	714			783, 785
368	Mr. Sabine—Relating to the district court in Logan county.....	589	592	635			646			823, 824
369	Mr. Beebe—To levy an additional tax in Summit county.....	596	604	631			645			813
370	Mr. Steedman—Relating to the Miami and Erie canal.....	614	625	660			670			
371	Mr. Carson—To authorize the village of Huntsville to issue bonds.....	614								
372	Mr. Grove—Relating to the Public Works.....	621	625	686	686, 813, 830	813	626			783, 785
373	Mr. Jackson of Perry—Relating to numbering streets and houses.....	622	625	720	794		701			871, 872
374	Mr. Krimmel—Granting right of way across State property.....	622	625				720			
375	Mr. Jackson of Perry—To authorize the issue of bonds.....	628	658	660			669			783, 784
376	Mr. Tyler—To provide for building a prison in Milford.....	628	658	661			670			807, 813
377	Mr. Marsh—Relating to assessments.....	657	658	684			684			753, 754
378	Mr. McDonald—To establish a new township in Ross county.....	661	663	757					757	
379	Mr. Lord—Relating to the Mitchell Avenue Tunnel.....	664	669	697			701			823, 824
380	Mr. Lord—Relating to municipal corporations.....	665	669	770	771		772			
381	Mr. Curtiss—Relating to fishing.....	679	694							
382	Mr. Curtiss—Relating to public parks.....	730	730	756	766		767			784, 796
383	Mr. Jackson of Clinton—To establish an additional Deaf and Dumb Institution.....	755	757							
384	Mr. Lord—Relating to municipal corporations.....	764	769							
385	Mr. Forrest—To build a town-hall in Avondale.....	764	769	798			798			80, 813
386	Mr. Benson—To purchase the Klippart library.....	78	782, 798	805	805				806	
387	Mr. Tyler—Relating to Greenfield cemetery.....	778	778							
388	Mr. Jackson of Clinton—Relating to a special sch. ol district.....	786	788							
389	Mr. Grove—To create an additional election precinct.....	787	787	799			799			823, 833
390	Mr. Curtiss—Relating to a Board of Equalization.....	819					820			871, 872
391	Mr. Johnston—To punish certain offenses therein named.....	867	869	870	870		870			

BILLS OF THE HOUSE OF REPRESENTATIVES.

No.	AUTHOR AND TITLE.	First Reading	Referred.	Reported.	Amended.	On Table,	Passed the Senate.	Recon- sidered.	Lost and Indefinite- ly post- poned.	Enrolled and signed.
4	Mr. Bohl—To amend the code of civil procedure.....	.....	.....	.....	48	.....	49	.....	63	.....
6	Mr. Poe—Limiting the compensation of certain officers.....	.....	120	633	.....	.....	.....	.....	633	.....
14	Mr. Haley—To amend the code of civil procedure.....	.....	639, 737	774	.....	.....	.....	.....	774	34, 37
17	Mr. Perkins—Relating to the purchase of school books.....	638	.....	137	137, 150	.....	.....	142	.....	164
22	Mr. Dalzell—For the relief of ex-Union soldiers.....	31	37	278	731	755	768	.....	.....	795, 797
53	Mr. Reed of Ross—To fix rates on toll-roads.....	.....	.....	128	128, 142, 167	129	167	.....	.....	.....
76	Mr. Foster—Relating to juries.....	.....	.....	.....	.....	.....	.....	.....	117	.....
111	Mr. Covert—To establish courts of conciliation.....	.....	365	533, 603	553, 365, 551 [603, 613]	.....	.....	.....	.....	.....
119	Mr. Swaim—Code—elections.....	.....	.....	126	.....	360	367	.....	.....	763
131	Mr. Seifert—Relating to the Lincoln monument.....	46	52	.....	.....	425	724	.....	.....	.....
153	Mr. Bohl—Relating to fire insurance.....	.....	.....	51	.....	.....	52	.....	.....	65, 68
155	Mr. Clough—Relating to the gas contract in Middletown.....	.....	.....	147	.....	148	.....	.....	.....	.....
178	Mr. Dalzell—Relating to sinecures.....	.....	46	146	.....	.....	297	.....	.....	316, 317
198	Mr. Dodds—Relating to Notaries Public.....	42	.....	178	178	.....	.....	.....	.....	.....
266	Mr. Van Cleef—Relating to banks and savings institutions.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
296	Mr. Elliott—Relating to Thompson township, Delaware county.....	6	.....	.....	.....	.....	.....	.....	.....	.....
312	Mr. Levering—Relating to the agricultural society of Mor- row county.....	723	728	70	.....	.....	.....	85	71	.....
341	Mr. Ogilvee—Relating to savings societies.....	12	15	51	.....	.....	.....	.....	51	.....
349	Mr. McCoy of Lawrence—Relating to additional taxes.....	.....	.....	772	.....	.....	772	.....	.....	795, 796
352	Mr. Van Cleef—Relating to a culvert under the canal.....	722	728	141	141	.....	144	.....	.....	152, 164
357	Mr. Foster—Relating to the investment of funds in litigation.....	.....	134	682	.....	.....	700	.....	.....	728, 735
397	Mr. Dow—Relating to the Miami river.....	570	572	33	.....	.....	.....	.....	33	.....
405	Mr. Danford—For the relief of S. D. Talbot.....	.....	.....	805	.....	.....	805	.....	.....	824
421	Mr. Booth—Relating to a culvert under the canal.....	722	728, 792	279	.....	.....	289	.....	.....	.....
429	Mr. Booth—Relating to fees of county officers.....	38	38, 372	665	279, 289	338	683	.....	.....	727, 736
443	Mr. Wolf—To create an additional Common Pleas Judge.....	650	658	461	.....	.....	475	.....	.....	481
450	Mr. Greene—For the improvement of public roads.....	432	435	298	298	.....	301	.....	.....	333, 335
458	Mr. Hayman—Relating to toll-roads.....	.....	261	279	.....	.....	290	.....	.....	306, 311
477	Mr. Hunce—To sell certain lands.....	69	76	202	.....	.....	207	.....	.....	217, 220
479	Mr. Poe—To amend the criminal code.....	131	136	43	.....	.....	43	.....	.....	65, 68
520	Mr. Marsh—For the relief of H. B. Bennett.....	.....	5	71	.....	.....	79	.....	.....	88
524	Mr. Foster—To incorporate reformatory associations.....	.....	335	356	.....	.....	356	.....	.....	362, 366
537	Mr. Dawson—To transfer funds in New Lexington.....	323	27	70	77	.....	77	.....	.....	88
549	Mr. Van Cleef—To punish certain offenses.....	25	.....	33	.....	.....	.....	.....	33	.....
552	Mr. Norton—Relating to the civil code.....	.....	.....	43	.....	.....	48	.....	.....	65, 68
559	Mr. Kellogg—To replank a road in Lucas county.....	.....	5	437	451	.....	452	.....	.....	606, 618
564	Mr. Norton—Relating to a ditch.....	319	322	720	733	.....	721, 733	733	.....	765, 781
566	Mr. Wright—Relating to elections.....	689	694	223	.....	.....	.....	.....	.....	.....
567	Mr. Wright—To protect female pupils.....	107	116	70	.....	.....	77	.....	223	.....
568	Mr. Wales—To lease a township house in Warren county.....	37	38	.....	.....	.....	.....	.....	.....	88

BILLS OF THE HOUSE OF REPRESENTATIVES—CONTINUED.

No.	AUTHOR AND TITLE.	First Reading.	Referred.	Reported.	Amended.	On Table.	Passed the Senate.	Reconsidered.	Lost and Indefinitely postponed.	Enrolled and signed.
574	Mr. Poe—To amend an act to facilitate justice in Cuyahoga county	217	218	330	.....	330	.....	.....	.....	.....
575	Mr. Poe—Relating to municipal corporations.....	288	295	307	.....	.....	307	.....	.....	333, 334
576	Mr. Ellis—To amend the criminal code.....	42	46	151, 152	158	.....	152	.....	.....	220, 221
581	Mr. Norton—To amend the municipal code.....	94	99	210	.....	.....	210	.....	.....	225
584	Mr. Turner—To establish a Board of Fire Commissioners.....	814	816	867	.....	.....	.....	.....	.....	.....
586	Mr. Hume—To authorize the building of bridges in Shelby county	233	238	284	286	.....	.....	.....	.....	306, 311
588	Mr. Wright—To amend the municipal code	91	92	103	.....	.....	109	.....	.....	123, 125
591	Mr. Herriek—Relating to Elyria, Lorain county.....	63	64, 72	72, 82	.....	.....	82	.....	.....	92, 94
592	Mr. Meuser—Relating to the incorporation of townships ..	131	136	165	.....	.....	174	.....	.....	180, 182
593	Mr. Brown of Putnam—Code—Relating to drainage.....	537	552	596	596, 597, 598, [599, 613, 706]	.....	613	.....	.....	.....
595	Mr. Alexander—Making appropriations.....	42	42	44	.....	.....	47	.....	.....	62
596	Mr. Clough—Relating to water-works.....	83	84	113	113, 151, 633, [634]	119, 380	.....	634	.....	667, 668
597	Mr. Bohl—Relating to the Soldiers Monument Association..	577	582	638	.....	.....	645	.....	.....	.....
598	Mr. Parker—To refund money to tax-payers in Brown county	127	130	141	.....	.....	144	.....	.....	152, 155
601	Mr. Bohl—Relating to common schools.....	102	106	123	.....	124	124	.....	.....	137, 141
602	Mr. Hume—Relating to public ways.....	377	381	398	398, 405	.....	405	.....	.....	.....
603	Mr. Alexander—Relating to the sinking fund	75	76	126	.....	137	.....	.....	.....	.....
606	Mr. Sawyer—For the relief of Elizabeth Dickel.....	63	64	67	.....	.....	68	.....	.....	73, 83
607	Mr. Sawyer—For the relief of Matilda Koenig.....	63	64	67	.....	.....	68	.....	.....	73, 83
608	Mr. Norton—Relating to the third judicial district.....	659	663	686	.....	718, 719	722	719	.....	760
609	Mr. Alexander—Making appropriations	45	50	54	54	.....	55	.....	.....	62
610	Mr. Van Cleaf—Code—Executive department	533	542	692, 571, 647	574, 692	.....	574	.....	.....	.....
611	Mr. Bohl—To levy a tax in Washington county.....	126	130	141	.....	.....	.....	.....	.....	.....
613	Mr. Wolf—Relating to Logan, Hocking county.....	63	64	103	.....	.....	109	.....	.....	120, 125
614	Mr. Turner—To amend the municipal code.....	76	76	113	.....	.....	113	.....	.....	120, 125
615	Mr. Paine—Relating to colleges.....	225	231	564	.....	.....	568	.....	.....	575
616	Mr. Williams—To amend the municipal code	207	212	24	224, 239	.....	234	.....	.....	251, 270
617	Mr. Boyce—Relating to East Liverpool	52	53, 69	60, 82	.....	.....	82	.....	.....	92, 94
618	Mr. Cowgill—Relating to a monument to Simon Kenton.....	735	750	798	.....	.....	.....	801	.....	.....
621	Mr. Edwards—In relation to a monument to certain offenses ..	401	410	496	.....	502	508	.....	.....	512, 526
625	Mr. Swann—Relating to the Board of Public Works	650	657	810	810	.....	810	.....	.....	867, 868
628	Mr. Parker—To protect game.....	107	115	156	.....	.....	168	.....	.....	184
629	Mr. Wright—Relating to municipal corporations.....	659	662	774	775	.....	775	.....	.....	784, 797
631	Mr. Cowgill—Relating to Mechanicsburg	57	59	103	.....	.....	103	.....	.....	120, 125
632	Mr. Worley—For the relief of the sureties of Geo. Fessler.....	186	187	202	.....	.....	202	.....	.....	209, 211
639	Mr. Clough—Code—Public buildings.....	86	89	368	368	.....	368	.....	.....	.....
64	Mr. Paine—Relating to Jackson county	91	92	.....	.....	.....	.....	.....	.....	.....
643	Mr. Groschner—Code—Legislative.....	429	430	452, 541	474, 541	.....	474	.....	.....	796, 797
645	Mr. Grosson—Relating to the Morgan raid claims.....	225	231	247	.....	253	778	253	251	.....

BILLS OF THE HOUSE OF REPRESENTATIVES—CONTINUED.

No.	AUTHOR AND TITLE.	First Reading.	Referred.	Reported.	Amended.	On Table.	Passed the Senate.	Reconsidered.	Lost and Indefinitely postponed.	Enrolled and signed.
645	Mr. Wright—To amend the civil code.....	91	93	117			122			131
647	Mr. Dempsey—To transfer land.....	2 5	212	244			249			262, 270
651	Mr. Bohl—Relating to boarding-house keepers.....	91	92	295			295			3 0
653	Mr. Parker—Relating to county auditors.....	129	130	141			144			152, 155
657	Mr. Marsh—To amend the criminal code.....	106	106	157			168			184
661	Mr. Hitchcock—Relating to Charlen, Geauga county.....	83	84	95			95			102, 103
662	Mr. Dalzell—To amend the Probate code.....	362	367	636			644			667, 678
665	Mr. Sextro—Relating to municipal corporations.....	312	313	403			561			568, 570
668	Mr. Hostetter—To amend the Probate code.....	137	144	339		421, 450		434	421	
670	Mr. Norton—Relating to ice producers.....	131	136						330	
674	Mr. Sextro—Code—counties.....	537	553, 565	565			565	565		
675	Mr. Greene—To loan money of Silver Creek township, Greene county.....									
679	Mr. Wolf—For the relief of Geo. Amerine.....	271	282	306	306		314			348, 357
684	Mr. Dow—Relating to Perry township, Logan county.....	91	92	96			101			120, 125
681	Mr. Wright—To amend the act of civil procedure.....	91	93	112			122			131
683	Mr. Booth—To amend the Probate code.....	225	231	617			627			647, 648
685	Mr. Wasson—Relating to a school fund in Gallia county.....	300	313	636					636	
686	Mr. Haley—Relating to United States surveys.....	255	256, 266	263, 374					374	
688	Mr. Sullivan of Hamilton—Relating to the repair of streets.....	91	92	408			4 9			417, 419
692	Mr. Haley—To issue bonds in Kenton, Hardin county.....	318	322	349			351			363, 365
694	Mr. Foster—To build an infirmary in Cuyahoga county.....	271	282	304			304			316, 317
697	Mr. Gresson—To authorize Clermont county to borrow money.....	137	144							
699	Mr. Bohl—Relating to German advertising.....	83	83	84			84			92, 94
700	Mr. Conkright—To authorize the transfer of funds in Richwood.....	95	99	127, 431	309	185, 193	310			442, 443
702	Mr. Williamson—To levy a tax in New London.....	225	231	278			285			292, 293
704	Mr. Foster—Relating to civil courts.....	130	136	177		187, 216	251			262, 270
705	Mr. Dawson—Relating to turnpike roads.....	753	757							
706	Mr. Townsend—Relating to common schools.....	256	257	324			341			357, 360
707	Mr. Smith—To levy a tax in Washington county.....	300	313	380		387	392			404, 418
708	Mr. Sturgeon—Relating to taxation.....	126	130	134			138			153, 156
710	Mr. Eylar—Relating to common schools.....	795					803			823, 824
711	Mr. Poe—Relating to Bedford township, Cuyahoga county.....	348	357	377			388			404, 418
715	Mr. Bohl—Code—Peisons.....	156	159	190	218, 259, 269		196			213, 220
		161	163	218, 592	[266, 267, 592]	218	268			
716	Mr. Danford—Relating to crimes and offenses.....	822	832							
717	Mr. Achauer—Relating to the insurance department.....	523	335	453	464, 465					
718	Mr. Alexander—Making appropriations.....	211	212	241	242, 253	482		473	465	260, 261
720	Mr. Lucecock—Relating to incorporated companies.....	312	313				242			
726	Mr. Ogilvee—Definitions—Code.....	156	159		354		359	437		
728	Mr. Foster—Relating to libraries.....	257	265	354, 436			349			363, 371
729	Mr. Sturgeon—Relating to the purchase of tents.....	239	248	274			286			292, 293

No.	AUTHOR AND TITLE.	First Reading.	Referred.	Reported.	Amended	On Table.	Passed the Senate.	Reconsidered.	Lost and Indefinitely postponed.	Enrolled and signed.
731	Mr. Cowgill—To levy an additional tax in Champaign county.....	252	254	305		698	306			316
732	Mr. Stubbs—To amend the taxation title.....	650	658, 775	698						333, 334
733	Mr. Eylar—For the relief of Julia A. Trent.....	131	136	306			306			274
735	Mr. Kilmer—Relating to street railroads.....	161	163	200			265			200, 203
736	Mr. Tyler of Licking—Relating to crimes and offenses.....	165	166	181			188			345, 357
737	Mr. Alexander—Making appropriations.....	211	212	241	241		241			316
738	Mr. Parker—For the relief of G. W. Drake.....	239	248	303			303			504, 512
741	Mr. Parker—To transfer funds in Brown county.....	461	463	495			496			120
742	Mr. Norton—Relating to the Tiffin water-works.....	95	99	103			109			754
743	Mr. Norton—To levy an additional tax in Seneca county.....	659	663	704	704	713	714			292, 293
745	Mr. Brown of Putnam—To levy an additional tax.....	252	254	277			277			
747	Mr. Hardy of Defiance—To grant right of way over canal banks.....	166	185, 433	454	454		475			504, 513
749	Mr. Hardy of Coshocton—To pay a certain indebtedness.....	131	136	146			146			152, 164
751	Mr. Mack—To transfer territory for school purposes.....	461	463	697			719			754
755	Mr. Greene—To provide for indexing land records.....	362	366	390			392			404, 419
756	Mr. Luccock—To build a Court-house in Guernsey county.....	288	295	315			315			333, 335
758	Mr. Grosebuor—To re-build a bridge in Henry county.....	111	110				111			120
760	Mr. Sextro—Relating to municipal corporations.....	406	411	791		791				386
761	Mr. Baker—To establish an additional school district.....	362	366	379			381			
763	Mr. Levering—Relating to a school district in Morrow county.....	255	257	305			314			333, 334
766	Mr. Bloom—Relating to the Register of Virginia Military School lands.....	319	322	660		661	725			765, 781
773	Mr. Quinby—Relating to Clarksville, Clinton county.....	255	257	340	725		351			363, 365
774	Mr. Booth—To authorize the sale of real estate.....	205	212	278	351		286			306, 312
777	Mr. Wales—To authorize Franklin and Warren counties to issue bonds.....	370	373	403	421		421			433, 435
778	Mr. Sawyer—For the relief of the sureties of Lewis Myers.....	252	254	275			275			295, 297
781	Mr. Hardy of Defiance—Relating to the Defiance Female Seminary.....	233	238	776			776			795, 797
782	Mr. Williams—Code—Compensation of public officers.....	382	387, 545	496	508, 509, 510, [511, 515, 548]		512			
786	Mr. Loder—Relating to school lands.....	257	265	354			358			363
787	Mr. Bloom—Code—Township officers.....	348	357, 436	435			436			
788	Mr. Greene—Relating to insurance companies.....	570	572	760			779	436		
791	Mr. Covert—Relating to municipal corporations.....	723	728	756			767	775	760	795
793	Mr. Hart—Relating to the Knox county agricultural society.....	155	159	181	766	758	308			795, 796
794	Mr. Reed of Trumbull—Relating to the Ohio and Pennsylvania boundary line.....	570	572	593	181, 308	188				333, 334
796	Mr. Bohl—To compromise with the Treasurer of Waterford township, Washington county.....	252	254	277		605	635			667, 668
801	Mr. Sullivan of Miami—Relating to county treasurers.....	402	411	437			355			362, 365
							451			459, 460

BILLS OF THE HOUSE OF REPRESENTATIVES—CONTINUED.

No.	AUTHOR AND TITLE.	First Reading.	Referred.	Reported.	Amended.	On Table.	Passed the Senate.	Reconsidered.	Lost and Indefinitely postponed.	Enrolled and signed.
802	Mr. Herriek—To levy an additional tax.....	257	265	294	.....	.....	296	.....	.....	306, 312
804	Mr. Fenton—To transfer funds in Delta, ulton county.....	257	265	354	.....	.....	358	.....	.....	363, 371
805	Mr. Levering—Code—Relating to townships.....	578	561, 578	569	.....	571	578	578	804	.....
806	Mr. Norton—Relating to a school district in Seneca county.....	577	582	801	.....	.....	.....	.....	.....	.....
811	Mr. Elliott—To authorize Delaware to issue bonds.....	426	430	452	.....	.....	464	.....	.....	470, 481
812	Mr. Hostetter—To improve Mud and Greenville creeks in Darke county.....	323	335, 338	437	452	.....	452	.....	.....	481
817	Mr. Leveing—Relating to incorporated villages.....	297	301	403	.....	.....	422	.....	.....	434, 435
819	Mr. Dawson—Relating to incorporated villages.....	319	322	428	.....	.....	430	.....	.....	442, 443
821	Mr. Grosson—To transfer funds in Milford.....	257	265	304	.....	.....	313	.....	.....	333, 335
822	Mr. McCoy of Lawrence—To levy an additional tax.....	257	265	276	.....	.....	277	.....	.....	294, 297
823	Mr. Loder—Relating to insecure buildings.....	763	.....	.....	.....	.....	769	.....	.....	795, 797
824	Mr. Foster—Relating to the incorporation of townships.....	319	322	398	.....	.....	401	.....	.....	417, 418
827	Mr. Lucecock—For the relief of Landon Heskett.....	257	265	332	.....	.....	349	.....	.....	363
828	Mr. Quinn—To transfer money in Mt. Sterling, Madison county.....	323	335	405	.....	.....	422	.....	.....	434, 435
830	Mr. Cros-on—To authorize a tax in Clermont county.....	397	400	452	.....	.....	475	.....	.....	481, 498
831	Mr. Perkins—To transfer funds in Wadsworth, Medina county.....	323	335	340	.....	.....	351	.....	.....	363
832	Mr. Quinby—To refund money in Fayette county.....	346	357	390	.....	.....	392	.....	.....	417, 419
833	Mr. Estill—Relating to procedure in Probate Court.....	323	335	636	.....	.....	644	.....	.....	667, 668
834	Mr. Dow—To change the time of holding court in Logan county.....	204	212	.....	.....	.....	212	.....	.....	220, 221
835	Mr. Seibert—To create an additional election precinct.....	814	817	819	.....	.....	819	.....	.....	833
836	Mr. Booth—Relating to municipal corporations.....	460	463	703	.....	.....	730	.....	.....	765, 781
837	Mr. Swaim—Code—Police regulations.....	522	525, 706	542	542, 549, 550 [551, 554, 706]	.....	551, 554	554	.....	.....
838	Mr. Marsh—Relating to a change of time of holding court.....	425	.....	.....	.....	.....	426	.....	.....	434
839	Mr. Hitchcock—To authorize an additional tax.....	239	248	277	291	310	339	299	291	363, 365
841	Mr. Cowgill—Relating to fees of county officers.....	433	435	.....	.....	.....	.....	.....	.....	.....
842	Mr. Alexander—Relating to the creation of debts on behalf of the State.....	818	832	.....	.....	.....	.....	.....	.....	.....
843	Mr. Harmon—To build a vault in Hiram township, Portage county.....	257	264	405	405, 422	.....	422	.....	.....	433, 434
844	Mr. Perkins—To amend the Probate code.....	577	582	617	.....	.....	627	.....	.....	647, 648
845	Mr. Ogilvee—Relating to the purchase of toll-roads.....	406	411	454	454	.....	454	.....	.....	481, 481
848	Mr. Wright—Relating to public warehouses.....	610	611	790	.....	.....	.....	.....	791	.....
851	Mr. Lovelace—Relating to school lands.....	385	386	591	.....	.....	592	.....	.....	605, 606
857	Mr. Sawyer—For the relief of Theo. Dickman.....	610	612	756	.....	.....	758	.....	.....	784, 785
858	Mr. Hayman—Relating to libraries.....	461	463	579	579	.....	583	.....	.....	600
860	Mr. Herriek—Relating to municipal corporations.....	602	604	67	779	645, 799	.....	.....	.....	.....
863	Mr. Kilmer—Relating to taxation.....	780	782	799	.....	799	.....	.....	.....	.....
864	Mr. Williamson—To create a special school district in Huron county.....	319	322	339	.....	.....	340	.....	.....	362, 366

BILLS OF THE HOUSE OF REPRESENTATIVES—CONTINUED.

S. J. No.	AUTHOR AND TITLE.	First Reading.	Referred.	Reported.	Amended.	On Table.	Passed the Senate.	Reconsidered.	Lost and Indefinitely postponed.	Enrolled and signed.
865	Mr. Sheets—To levy an additional tax in Hancock county.	470	474	564			568			575
867	Mr. Dow—Relating to the courts of Hardin and Logan counties.....	461	462	617			627			647, 648
869	Mr. Foster—Relating to municipal corporations.....	690	694							
870	Mr. Estill—To transfer funds in Paint township, Holmes county.....									
872	Mr. Rimer—For the relief of the sureties of Peter F. Feigert	323	335	354			357			363, 365
875	Mr. Wales—In relation to Orphan Asylums.....	335	338	352			352			356, 357
879	Mr. Cowgill—Relating to a bridge in Urbana.....	362	366, 431	462		475	476			504, 505
880	Mr. Leggett—To amend the Probate code.....	460	463	755	755, 758		758			784, 785
881	Mr. Sawyer—Relating to Soldiers' and Sailors' Orphans' Home.....	482	500	617			627			647, 648
882	Mr. Booth—To re-record destroyed records.....	426					427			434, 435
885	Mr. Van Cleaf—Relating to taxation.....	482	500, 672	632, 767	644, 767		644			784, 785
886	Mr. Maury—Relating to elections.....	442	449	558			562		660	558, 570
889	Mr. Norton—To regulate the study of anatomy.....	570	572	6						
891	Mr. Alexander—Relating to property given for art and science.....	557	561	621	628	628				
892	Mr. Alexander—Making appropriations.....	570	572	757		758				
893	Mr. Alexander—Making appropriations.....	371	373	393			393			404, 419
894	Mr. Alexander—Making appropriations.....	368	373	388			388			404, 419
		482	500	514, 612	515, 533, 534, [535, 545, 546, 547, 612]	514	547			626
895	Mr. Dodds—Code—Militia.....	590	592, 666	604, 681	604, 614, 615, [681, 682]		615			
897	Mr. Dunham—Relating to the indebtedness of Sandusky township, Sandusky county.....	461	463	521			527			540, 557
898	Mr. White—Relating to the agricultural society of Franklin county.....			384			385			400, 406
901	Mr. Greene—To protect bridges and other public property.	323	335							
904	Mr. Mack—Relating to corporate trade associations.....	723	728							
908	Mr. Carter—To authorize the transfer of funds.....	609	611							
909	Mr. Dunham—Authorizing an additional tax in Sandusky county.....	362	367	380			380			386
911	Mr. Stubbs—To create an additional election precinct.....	461	463	543			553			568, 571
912	Mr. Wright—Relating to bonds.....	470	474	637		645	709			722, 735
915	Mr. Hayman—Relating to commercial fertilizers.....	537	552	560			562			568, 570
918	Mr. Carpenter—Relating to a road in Meigs county.....	807	812	830		830				
924	Mr. Ogilvee—Relating to municipal corporations.....	319					322			333, 335
925	Mr. Carpenter—Relating to Childrens' Homes.....	577	582	702			702			728, 735
926	Mr. Sullivan of Miami—For an additional Common Pleas Judge.....	610	612	629			640			668, 697
						679	767			795, 797
927	Mr. Wales—To refund taxes in Warren county.....	659	663	665	594		594			605, 606
928	Mr. Meuser—Relating to municipal corporations.....	577	582	553	567, 863	562	567			

BILLS OF THE HOUSE OF REPRESENTATIVES—CONTINUED.

No.	AUTHOR AND TITLE.	First Reading.	Referred.	Reported.	Amended.	On Table.	Passed the Senate.	Reconsidered.	Lost and Indefinitely postponed.	Enrolled and signed.
929	Mr. Stubbs—Relating to municipal corporations.....	710	713	.....	.....	.....	.....	.....	.....	.....
933	Mr. Baker—To reduce the fees of county officers.....	690	694	.....	.....	.....	.....	.....	.....	.....
935	Mr. Hitchcock—To authorize the purchase and sale of certain lands.....	362	366	390	.....	.....	.....	.....	.....	.....
936	Mr. Grosehner—To authorize an improvement in Napoleon	397	400	408	.....	.....	392	.....	.....	404, 419
937	Mr. Bull—For the relief of Jos. Stoffer.....	399	400	404	.....	.....	409	.....	.....	417, 419
938	Mr. Turner—To create an additional election precinct.....	461	463	636	.....	645	411	.....	.....	417, 419
941	Mr. Edwards—Relating to common schools.....	451	456	.....	.....	.....	709	.....	.....	722, 735
942	Mr. Sinead—To authorize Madison, Lake county to borrow money.....	432	435	.....	.....	.....	.....	.....	.....	.....
943	Mr. Estill—Relating to the repair of a school-house.....	389	392	462	.....	.....	476	.....	.....	481
944	Mr. Sawyer—Relating to the Soldiers' and Sailors' Orphans' Home.....	577	582	781	781, 808, 815,	782, 787, [808]	419	.....	.....	432, 433
945	Mr. Turner—Relating to free avenue companies.....	389	392	403	.....	.....	811	.....	.....	823, 825
951	Mr. Booth—Relating to municipal corporations.....	362	367	.....	.....	.....	422	.....	.....	434
952	Mr. Williams—To regulate the fees of county officers.....	602	604	685	717	.....	367	.....	.....	371, 381, 383
953	Mr. Wolf—Relating to a town-hall in Logan.....	461	463	495	495	.....	718	.....	.....	763
955	Mr. Marsh—Relating to bridges in Hoeking county.....	577	582	616	.....	.....	501	.....	.....	512, 526
956	Mr. Brown of Putnam—Relating to Big Beaver river.....	710	713	756	756	758, 845	627	.....	.....	647, 648
957	Mr. Brown of Putnam—Authorizing Putnam county to issue bonds.....	460	463	495	.....	.....	.....	841	830	.....
958	Mr. Clough—Relating to libraries.....	461	463	543	.....	.....	502	.....	.....	512, 526
962	Mr. Sawyer—To create an additional election precinct.....	659	663	686	543, 553	.....	553	.....	.....	569, 571
964	Mr. Reed of Ross—Relating to taxation.....	429	430	502	503	.....	686	.....	.....	722, 735
965	Mr. Kerr—Relating to Notaries Public.....	750	750	.....	.....	.....	519	.....	.....	541, 568
966	Mr. Clough—To authorize the repair of Fort Hill.....	482	500	543	543	.....	553	.....	.....	568, 570
967	Mr. Dadds—For the relief of W. M. Corry.....	513	519	528	.....	.....	531	.....	.....	540, 557
971	Mr. Lucock—To transfer funds in Guernsey county.....	577	582	630	.....	.....	641	.....	.....	667, 668
972	Mr. Stubbs—To create an additional election precinct.....	659	663	714	.....	720	840	.....	.....	845, 853
976	Mr. Jessup—To transfer funds in Clevel, Hamilton county	577	582	631	.....	.....	642	.....	.....	667, 668
978	Mr. Greene—Relating to the City Hall in Xenia.....	577	582	631	641	642	.....	.....	.....	668, 697
979	Mr. Ogilvee—To amend the Probate code.....	780	782	.....	.....	.....	.....	.....	.....	.....
981	Mr. Elyar—Relating to fees of county officers.....	690	694	.....	.....	.....	.....	.....	.....	.....
982	Mr. Alexander—Making appropriations.....	570	572	585, 634	585, 586, 587, [589, 634]	.....	.....	.....	.....	.....
984	Mr. Wales—Relating to Indiana Yearly Meeting of Friends	831	832	839	.....	.....	589	.....	.....	648
986	Mr. Ogilvee—To construct a town-hall in South Charleston	482	500	515	.....	.....	840	.....	.....	845, 853
987	Mr. Haley—For the drainage of Hog Creek Marsh.....	610	611	679	.....	.....	519	.....	.....	530, 541
990	Mr. Covert—Relating to crimes and offenses.....	780	782	792	.....	.....	700	.....	.....	722, 735
993	Mr. Palmer—To transfer funds in Rockport, Cuyahoga county.....	602	604	775	.....	.....	804	.....	.....	823, 825
994	Mr. Levering—For the relief of Chas. Shedd.....	690	694	778	.....	.....	776	.....	.....	795, 796
995	Mr. Seifert—To create an additional election precinct.....	660	663	713	.....	.....	719	.....	.....	795, 796 754

BILLS OF THE HOUSE OF REPRESENTATIVES—CONTINUED.

No.	AUTHOR AND TITLE.	First Reading	Referred.	Reported.	Amended.	On Table,	Passed the Senate.	Reconsidered.	Lost and Indefinitely postponed.	Enrolled and signed.
997	Mr. Hart—Relating to mode of revivor of actions.....	802	803	806	.....	.....	.....	818	812, 825	.....
999	Mr. Levering—To provide for indexing land records.....	659	643	689	.....	.....	719	.....	.....	763
1003	Mr. Swaim—Relating to tickets of common carriers.....	533	542	759	.....	773	.....	773	770	.....
1004	Mr. Cowgill—Relating to the Court-house in Champaign county.....	537	552	567	.....	.....	567	.....	.....	574, 575
1005	Mr. Foster—Relating to gates at railroad-crossings.....	723	728	.....	.....	.....	.....	.....	.....	.....
1006	Mr. Dow—To transfer funds in Bellefontaine.....	610	611	629	.....	.....	640	.....	.....	667, 668
1007	Mr. Brown of Putnam—To authorize the borrowing of money.....	609	611	631	.....	644	776	.....	.....	796, 797
1008	Mr. Levering—Making appropriations.....	727	727	736, 802, 809	736, 751, 802, [809]	.....	751	.....	.....	833
1009	Mr. Dempey To issue bonds in Newburg township, Cuyahoga county.....	577	582	593	593	.....	593	.....	.....	605, 606
1010	Mr. Pahner—To levy a special tax in Cuyahoga county.....	610	612	630	.....	.....	640	.....	.....	667, 668
1013	Mr. Washburn—Relating to roads.....	537	552	564	.....	.....	572	.....	.....	606
1014	Mr. Crosson—To transfer funds in Loveland.....	537	522	564	.....	.....	564	.....	.....	575
1015	Mr. Reed of Ross—Relating to Demos Hill.....	506	519	529	.....	.....	531	.....	.....	540, 557
1016	Mr. Haley—Relating to the Hardin county agricultural society.....	610	611	698	.....	.....	719	.....	.....	754, 760
1020	Mr. Wright—Relating to municipal corporations.....	807	812	.....	.....	.....	.....	.....	.....	.....
1021	Mr. Alexander—Relating to building railroads.....	590	592	738	799, 805	770, 800	805	.....	.....	823, 824
1022	Mr. Sullivan of Hamilton—To repair a street in California, Hamilton county.....	659	663	680	.....	.....	680	.....	.....	697, 710
1025	Mr. Washburn—Relating to school examiners.....	610	612	685	.....	.....	730	.....	.....	754
1027	Mr. Greene—Relating to the purchase of toll-roads.....	610	611	672	.....	.....	700	.....	.....	728, 735
1028	Mr. Cowgill—To issue bonds in Champaign county.....	610	612	631	643	.....	644	.....	.....	667, 668
1029	Mr. Sawyer—To transfer funds in St. Mary's.....	602	604	630	.....	.....	640	.....	.....	667, 668
1030	Mr. Achauer—Relating to public ways.....	659	663	671	671	.....	695	.....	.....	754
1031	Mr. Herrick—To sit in banks the funds of Lorain county.....	638	639	680	.....	.....	680	.....	.....	697, 710
1036	Mr. Parker To levy an additional tax in Brown county.....	669	679	787	.....	.....	788	.....	.....	808
1037	Mr. Klimper—Relating to assessors.....	814	817	830	831, 840, 841	.....	863	840, 858	834, 841	871, 872
1038	Mr. Ellis—To transfer funds in Clay township, Ottawa county.....	602	604	629	.....	.....	640	.....	.....	667, 668
1039	Mr. Dunham—To transfer funds in Sandusky county.....	610	612	629	.....	.....	640	.....	.....	667, 668
1040	Mr. Van Cleaf—Relating to New Holland school district.....	610	611	632	.....	.....	644	.....	.....	667, 668
1042	Mr. Crosley—Relating to free turnpikes.....	761	762	787, 819	789, 857	.....	789	.....	.....	667, 668
1043	Mr. Hayman—To transfer funds in Portsmouth.....	650	658	.....	.....	.....	.....	.....	.....	.....
1044	Mr. Townsend—To levy an additional tax in Athens county.....	659	663	732	.....	.....	732	.....	.....	765, 781
1045	Mr. Clough—To authorize Middletown to issue bonds.....	618	625	737	.....	.....	752	.....	.....	765, 781
1047	Mr. Crosson—To authorize Batavia to issue bonds.....	650	658	738	.....	.....	752	.....	.....	765, 781
1048	Mr. Crosson—To transfer funds in Batavia.....	659	663	738	752	.....	753	.....	.....	765, 781
1050	Mr. Stubbs—Relating to trespassing animals.....	763	769	776	776	786	.....	.....	.....	.....
1052	Mr. Sawyer—To levy an additional tax in St. Mary's.....	669	663	685	.....	.....	685	.....	.....	728, 736

BILLS OF THE HOUSE OF REPRESENTATIVES—CONTINUED.

No.	AUTHOR AND TITLE.	First Reading.	Referred.	Reported.	Amended.	On Table.	Passed the Senate.	Recon- sidered.	Lost and Indefinite- ly post- poned.	Enrolled and signed.
1053	Mr. Wasson—Relating to Mound Hill Cemetery.....	650	657	681	.....	.....	681	.....	.....	728, 736
1054	Mr. Morrey—To transfer funds in McConnellsville.....	650	657	671	.....	679	683	.....	.....	727, 736
1055	Mr. Dow—To sell certain real estate in Logan county.....	669	678	679	.....	.....	700	.....	.....	728, 735
1056	Mr. Washburn—To issue bonds in Pike county.....	669	679	698	.....	.....	700	.....	.....	722, 735
1058	Mr. Elliott—Relating to the agricultural society of Delaware county.....	711	713	757	.....	.....	758	.....	.....	784, 785
1061	Mr. Luccock—To deposit funds of Guernsey county in bank.....	711	713	732	733	.....	733	.....	.....	763
1062	Mr. Herrick—Relating to a new Court-house in Lorain county.....	761	762	765	.....	.....	770	.....	.....	795, 796
1063	Mr. Bloom—To amend chapter two of the code	690	694	703	.....	.....	713	.....	.....	754
1064	Mr. Levering—Relating to toll-roads.....	735	750	.....	.....	791	.....	.....	.....	824
1065	Mr. Bloom—Relating to the salaries of certain officers.....	780	780	791	809	.....	809	.....	.....	795, 796
1067	Mr. Achauer—Relating to Muskingum College.....	763	.....	.....	.....	.....	769	.....	.....	765, 781
1068	Mr. Parker—Relating to incorporated villages.....	726	726	737	752	.....	752	.....	.....	795, 796
1069	Mr. Washburn—Relating to a road in Pike county.....	735	750	756	756	764	767	.....	.....	795, 796
1070	Mr. Baker—For the relief of Allen Creamer.....	735	750	774	.....	.....	786	.....	.....	795, 796
1071	Mr. Reed of Ross—To invest funds in Chill cothe.....	735	750	774	.....	.....	786	.....	.....	795, 796
1072	Mr. Sawyer—For the relief of Chas. Coahn.....	780	782	791	.....	.....	791	.....	.....	807, 818
1073	Mr. Sullivan of Miami—Relating to Childrens' Homes.....	818	.....	.....	.....	.....	819	.....	.....	824
1076	Mr. Booth—Relating to the Georgesville free turnpike.....	846	858	.....	.....	.....	.....	.....	.....	833
1077	Mr. Scott—Relating to mines and mining.....	780	780	.....	.....	.....	789	.....	.....	807, 818
1078	Mr. Norton—To transfer funds in Seneca county.....	763	769	798	.....	.....	804	.....	.....	824
1079	Mr. Paine—For the relief of the poor.....	794	795	.....	.....	.....	817	.....	.....	833
1080	Mr. Bloom—For the relief of the fees of county officers.....	814	.....	830	.....	.....	834	.....	.....	842, 845
1081	Mr. Bloom—Relating to Board of Equalization.....	826	827	858	.....	.....	858	.....	.....	867, 868
1082	Finance Committee—Relating to an embankment.....	839	855	.....	.....	.....	.....	.....	.....	.....
1083	Mr. Bloom—To provide for printing and distributing the general statutes.....	846	859	.....	859, 860, 861, [862]	.....	862	.....	.....	871, 872
1084	Mr. Bohl—Relating to the State Arsenal.....	841	855	865	.....	.....	866	.....	.....	871
1085	Mr. Brown of Putnam—Making appropriations.....	846	858	.....	.....	.....	859	.....	.....	867, 868

SENATE JOINT RESOLUTIONS.

No.	AUTHOR AND TITLE.	Offered and Referred.	Lost and on Table.	Reported and Amended.	Adopted.	Enrolled and signed.
19	Mr. Curtiss—To hold the general election in November.....	28	374	.....	.....	.....
42	Mr. Curtiss—In regard to purchasing digests.....	.....	224	224	.....	.....
55	Mr. Dungan—To amend the Constitution.....	29, 243	290, 293, 299, 389	182, 235, 289, 293, [299, 379, 389, 407]	308	131, 134
62	Mr. Owens—To appoint a committee to wait on the Governor.....	3	.....	.....	3	131, 134
63	Mr. Beebe—For a joint convention to count vote.....	3	.....	.....	3	137, 141
64	Mr. Forrest—Governing bills on the code.....	20, 98	79	20, 32, 73, 104	20, 105	.....
65	Mr. Richards—To amend the Constitution.....	25	49	41, 49	.....	.....
66	Mr. Owens—To amend the Constitution.....	26	.....	131	201	.....
67	Mr. Jackson of Perry—To amend the Constitution.....	57, 63	58, 176	176	210	399, 400
68	Mr. Richards—To print S. J. R. No. 67.....	58	58	.....	.....	.....
69	Mr. Johnston—To print Secretary of State's report.....	71	.....	96, 97	97	333, 334
70	Mr. Benson—To distribute Geological Reports.....	73	.....	97	98	.....
71	Mr. Steedman—Relating to Soldiers' pensions.....	121	.....	124	124	137, 141
72	Mr. Lord—To purchase a Coat of Arms to be placed at Mt. Vernon.....	143	.....	822	143	823, 833
73	Mr. Jackson of Perry—Relating to G. S. Grate.....	148	.....	.....	148	783, 785
74	Mr. Curtiss—Relating to deaf mutes.....	150	.....	.....	159	.....
75	Mr. Crislie—Relating to freight discriminations.....	157	.....	.....	.....	.....
76	Mr. Owens—Relating to a suit against the Toledo Bank.....	157, 158	.....	.....	177	.....
77	Mr. Richards—Relating to a ship-canal at St. Mary's Falls.....	175	.....	.....	.....	.....
78	Mr. Forrest—Relating to the United States laws relating to criminals.....	182	.....	.....	.....	.....
79	Mr. Steedman—Requesting Congress to pass a law.....	201	201	.....	207	246, 251
80	Mr. Richards—Relating to Homer Carl.....	206, 233	.....	233, 243	253	.....
81	Mr. Johnston—Relating to the report on the code.....	221	221	.....	684	784, 796
82	Mr. Richards—Relating to annual reports.....	227	.....	684	269	273, 823, 824
83	Mr. Carlisle—To provide a watchman for the State Arsenal.....	256	256	269, 810	262	.....
84	Mr. Forrest—Relating to the printing of the laws.....	258	.....	262	.....	.....
85	Mr. Johnston—Relating to the chronic insane.....	319	.....	.....	.....	.....
86	Mr. Lord—Relating to the Soldiers' and Sailors' Orphans' Home.....	320	.....	340	340	.....
87	Mr. Carson—Relating to adjournment.....	428	428	.....	.....	.....
88	Mr. Jackson of Clinton—Relating to the late M. S. Creamer.....	502	.....	.....	502	526, 527
89	Mr. Fisher—Relating to the report of the Fish Commissioners.....	523	.....	523	524	783, 785
90	Mr. Steedman—Relating to the Board of Public Works.....	518	.....	.....	.....	.....
91	Mr. Lord—Relating to life insurance.....	549	769	760	.....	.....
92	Mr. Sabine—Relating to the report of the School Commissioner.....	580	.....	682	682	784, 796
93	Mr. Forrest—Relating to adjournment.....	602	869	702, 703, 869, 872	703	871, 872
94	Mr. Saltzgaber—Relating to the flags of the 46th O. V. I.....	616	.....	.....	617	664, 668
95	Mr. Saltzgaber—Relating to S. B. No. 300.....	647	.....	.....	647	664, 668
96	Mr. Sherriek—Relating to H. B. No. 894.....	683	.....	.....	684	783, 785
97	Mr. Steedman—Relating to the public works.....	790	.....	790	790	.....
98	Mr. Steedman—Relating to claims against the Government.....	800	821	820, 835, 836, 837	837	.....
99	Mr. Steedman—Relating to judgment due the State.....	815	.....	.....	815	.....
100	Mr. Lord—Relating to a branch Deaf and Dumb Institution.....	869	869	.....	.....	.....

HOUSE JOINT RESOLUTIONS.

No.	AUTHOR AND TITLE.	Offered and Referred.	Lost and on Table.	Reported and Amended.	Adopted.	Enrolled and signed.
6	Mr. Poe—Relating to the salary of the President.....	845		60	60	73, 83
60	Mr. Bloom—Relating to Theo. S. Hart.....	29	5			
62	Mr. Norton—For a committee to wait on the Governor.....	5	395	378, 394, 409	394, 395	416, 417
67	Substitute for 68, 73 and 84—Judiciary Committee—As to amending the Constitution.....	359, 378		27	12	28, 68
71	Mr. Sawyer—Relating to report on Labor Statistics.....	12, 21	85	85		
77	Mr. Bohl—Relating to insurance companies.....	56	133		134	116, 148
80	Mr. Greene—To pay the claim of Jacob Haynes.....	94	316	315	381	386
86	Mr. Sawyer—As to a survey of land for a ditch.....	252	246			
88	Mr. Bohl—Relating to discrimination in freight rates.....	189				
89	Mr. Meuser—Relating to calendars.....	122		127	127	135, 137
90	Mr. Sawyer—As to draining certain basins in Auglaize county.....	694		718	718	754, 760
91	Mr. Achauser—Relating to certain deeds.....	233		246	246	255, 270
93	Mr. McCoy of Wayne—Relating to Jas. King.....	169, 161		215	215	225
94	Mr. Dadds—Relating to Soldiers' and Sailors' Orphans' Home.....	161	161			
95	Mr. Bohl—Granting the right of way through State works.....	189		191	191	200, 208
96	Mr. McCoy of Lawrence—Relating to the Soldiers' and Sailors' Orphans' Home.....	186		193	193	221
98	Mr. Hitehek—Relating to the State Library.....	183		817	817	833
101	Mr. Jessup—Relating to forfeited lands.....	537		554	554	568, 570
102	Mr. White—Authorizing the sale of books.....	312				
103	Mr. Worley—Relating to School Commissioner's report.....	320, 355		521	521	530, 541
104	Mr. Kimer—For the relief of W. T. Wooley and A. Dreiss.....	311		374	374	377, 383
106	Mr. Hostetter—Relating to a deed to be given to John Ford.....	301		332	332	348, 357
107	Mr. McCoy of Lawrence—To admit H. D. Ward to the Athens Asylum.....	311			341	348, 357
110	Mr. Covert—Relating to sleeping car fares.....	393				
112	Mr. Eylar—Relating to the Adjutant General's report.....	420	453, 454	453	519	524, 525
113	Mr. Hostetter—Relating to a deed to John Ford.....	416	452	429	497	504, 513
114	Mr. Meuser—Relating to numbering the sections of the code.....	397			398	417, 4 8
120	Mr. Booth—Relating to certain indebtedness.....	842		864	864	871, 872
121	Mr. Van Cleaf—Relating to the Secretary of State's report.....	607		704	704	722, 735
123	Mr. Sturgeon—Relating to the Insane in Lucas county.....	832		838	838	842, 845
124	Mr. Hitchcock—Relating to a visit from the Governor of Indiana.....	615		616	616	625
126	Mr. Parker—Relating to a safe in the Treasurer's office.....	691		696	697	722, 735
128	Mr. Bloom—Relating to H. B. No. 610.....	674			674	690
132	Mr. Williams—Relating to H. B. No. 894.....	749			750	763, 764
133	Mr. Bohl—Relating to certain rooms in the Capitol.....	793				
136	Mr. Hardy—Relating to the Board of Public Works.....	793		820	820	833
138	Mr. White—Authorizing a certain appointment.....	838		854	854	867, 868
140	Mr. Cowgill—Relating to text-book for Ohio National Guard.....	846		865	865	
142	Mr. Swaim—Relating to the Seitz Election Law.....	862				
	Mr. Brown of Putnam—To have the ditch title printed.....	870			871	871, 872

SENATE RESOLUTIONS.

No.	AUTHOR AND TITLE.	Offered and Referred.	Reported.	Amended.	Lost and on Table.	Adopted.
66	Mr. Carlisle—To grant use of Senate Chamber	4	4
67	Mr. Richards—To grant use of Senate Chamber	4	4
68	Mr. Wilson—To grant use of Senate Chamber	6	6
69	Mr. Richards—To allow extra pay to Sergeant-at-Arms.....	12	15	15	16
70	Mr. Owens—Relating to adjournment.....	12	12
71	Mr. Owens—To provide wardrobe.....	14	14
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